

Washington, Tuesday, September 15, 1953

TITLE 5—ADMINISTRATIVE **PERSONNEL**

Chapter I—Civil Service Commission

PART 6-EXCEPTIONS FROM THE COMPETI-TIVE SERVICE

SMALL BUSINESS ADMINISTRATION

Effective upon publication in the FED-ERAL REGISTER, the positions listed below are excepted from the competitive service under Schedule C.

§ 6.364 Small Business Administra-(a) Three Deputy Administrators.

(b) One Special Assistant to each Deputy Administrator.

(c) Two Special and Confidential Assistants to the Administrator.

(d) One General Counsel

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, March 31, 1953, 18 F. R. 1823)

> United States Civil Serv-ICE COMMISSION,

WM. C. HULL, [SEAL]

Executive Assistant.

[F. R. Doc. 53-7969; Filed, Sept. 14, 1953; 8:48 a. m.]

TITLE 7-AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

> PART 909-ALMONDS GROWN IN CALIFORNIA

BUDGET OF EXPENSES OF ALMOND CONTROL BOARD AND RATE OF ASSESSMENT FOR CROP YEAR BEGINNING JULY 1, 1953

Notice of proposed rule making with respect to the expenses of the Almond Control Board for the crop year beginning July 1, 1953, and the rate of assessment in that connection, was published in the Federal Register of August 22. 1953 (18 F. R. 5042) This administrative rule is required by the provisions of Marketing Agreement No. 119 and Order No. 9 regulating the handling of almonds grown in California (7 CFR, 1952 Rev., Part 909) effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.)

said notice, opportunity was afforded interested persons to submit to the Department written data, views, or arguments for consideration prior to issuance of the final rule. No such documents were received during the time specified in the notice.

After consideration of all relevant matters, it is hereby found and determined that the budget of expenses of the Almond Control Board and rate of assessment shall be as follows:

§ 909.303 Budget of expenses of the Almond Control Board and rate of assessment for the crop year beginning July 1, 1953—(a) Budget of expenses. For the crop year beginning July 1, 1953, expenses in the amount of \$43,000 are reasonable and likely to be incurred by the Almond Control Board for its maintenance and functioning and for such purposes as the Secretary may, pursuant to the provisions of the agreement and order, determine to be appropriate.

(b) Rate of assessment. The rate of assessment for the crop year beginnıng July 1, 1953, shali be, in lieu of the assessment rate specified in § 909.121 (a) of said agreement and order, thirteen-hundredths of a cent (.13 cent) for each pound of edible almond kernels received by each handler for his own account, except as to receipts from other handlers on which assessments have been

paid.

It is hereby found and determined that good cause exists for making this document effective upon its publication in the FEDERAL REGISTER, instead of waiting 30 days after such publication, for the reasons that: (1) The action will apply to all almonds which handlers receive during the current crop year, which began on July 1, 1953, and no useful purpose would be served by delaying such effective date: (2) the making of such action effective promptly upon publication will serve a useful purpose in that all parties affected will receive definite official notice as early as practicable with respect to the matter, and the making of assessment collections will be facilitated; (3) prior notice of such action was given all, interested parties in the notice of proposed rule making which was published on August 22, 1953, which rule is

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Title 14: Parts 1—399 (Revised Book) (\$6.00)

Previously announced: Title 3 (\$175); Titles 4-5 (\$0.55); Title 6 (\$1.50); Title 7. Parts 1-209 (\$1.75), Parts 210-899 (\$2.25), Part 900-end (Revised Book) (\$6.00); Title 8 (Revised Book) (\$1.75); Title 9 (\$0.40); Titles 10-13 (\$0.40); Title 14: Part 400-end (Revised Book) (\$3.75); Title 15 (\$0.75); Title 16 (\$0.65); Title 17 (\$0.35); Title 18 (\$0.35); Title 19 (\$0.45); Title 20 (\$0.60); Title 21 (\$1.25); Titles 22-23 (\$0.65); Title 24 (\$0.65); Title 25 (\$0.40); Title 26: Parts 80-169 (\$0.40), Parts 170-182 (\$0.65), Parts 183-299 (\$1.75); Title 26: Part 300-end, Title 27 (\$0.60); Titles 28-29 (\$1.00); Titles 30-31 (\$0.65); Title 32: Parts 1-699 (\$0.75), Part 700-end (\$0.75); Title 33 (\$0.70); Titles 35-37 (\$0.55); Title 38 (\$1.50); Title 39 (\$1.00); Titles 40-42 (\$0.45); Title 43 (\$1.50); Titles 44-45 (\$0.60); Title 46: Parts 1-145 (Revised Book) (\$5.00), Part 146end (\$2.00); Titles 47-48 (\$2.00); Title 49: Parts 1-70 (\$0.50), Parts 71-90 (\$0.45), Parts 91-164 (\$0.40), Part 165end (\$0.55); Title 50 (\$0.45)

Order from

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Issued at Washington, D. C., this day of September 1953, to become a tive upon publication of this document the Federal Register.	effec-
[SEAL] JOHN H. DAVIS Assistant Secretary of Agricultu	ire.
[F. R. Doc. 53-7982; Filed, Sept. 14, 8: 51 a. m.]	1953;
	of Federal Regulations affected by docupublished in this issue. Proposed rul opposed to final actions, are identification. Title 5 Chapter I: Part 6

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

Subchapter C—Interstate Transportation of Animals and Poultry

PART 76—HOG CHOLERA, SWINE PLAGUE, AND OTHER COMMUNICABLE SWINE DISEASES

Subpart B—Vesicular Exanthema

MOVEMENT OF SWINE AND SWINE PRODUCTS FROM A NON-QUARANTINED AREA

Correction

In Federal Register Document 53-7681, published on page 5293 of the issue for Wednesday, September 2, 1953, the word

"quarantined" which appeared in the mferior headnote at the beginning of the document, should read "non-quarantined" as set forth above.

TITLE 12-BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A-Board of Governors of the Federal Reserve System

[Reg. Q]

PART 217-PAYMENT OF INTEREST ON DEPOSITS

RATE OF INTEREST ON LOAN SECURED BY TIME DEPOSIT

§ 217.106 Rate of interest on loan secured by time deposit. (a) An inquiry has been received by the Board concerning the permissible rate of interest under paragraph (e) of § 217.4 on a loan by a member bank to its depositor "upon the security of" his time certificate of deposit. The paragraph provides that the rate of interest on such a loan "shall be not less than 2 percent per annum in excess of the rate of interest on" the deposit.

(b) Briefly, the certificate in question provides for payment 3 years after date of issue with interest at a rate of 21/2 percent per annum, but provides for earlier withdrawal of the deposit after 90 days' written notice during either of three successive intervals with interest at a rate progressing from 1 to 11/2 to 2 percent per annum, respectively.

(c) As indicated by the interpretation contained in § 217.105 (18 F. R. 4005) such a certificate complies with the provisions of Part 217. The rate of interest payable to the depositor under the terms of the certificate depends upon which of the withdrawal privileges may be elected by him. Accordingly, the Board is of the view that the rate of interest on a loan upon the security of such a certificate of deposit should be no less than 2 per cent per annum in excess of the rate of interest to which the depositor would be entitled if he should exercise the particular withdrawal privilege of the certificate available to him at the time of the maturity of the loan,

(Sec. 11 (i), 38 Stat. 262; 12 U.S. C. 248 (i). Interprets or applies secs. 19, 24, 38 Stat. 270, 273, as amended, sec. 8, 48 Stat. 168, as amended; 12 U.S.C. 264 (c) (7), 371, 371a, 371b. 461)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM. [SEAL] MERRITT SHERMAN. Assistant Secretary.

[F. R. Doc. 53-7965; Filed, Sept. 14, 1953; 8:47 a. m.]

[Reg. T]

PART 220-CREDIT BY BROKERS, DEALERS, AND MEMBERS OF NATIONAL SECURITIES EXCHANGES

ARRANGING FOR EXTENSIONS OF CREDIT TO BE MADE BY BANK

Section 220.111 is added to read as follows:

§ 220.111 Arranging for extensions of credit to be made by a bank. (a) The Board has recently had occasion to express opinions regarding the requirements which apply when a person subject to Part 220 (for convenience, called here simply a broker) arranges for a bank to extend credit.

(b) The matter is treated generally in paragraph (a) of § 220.7 and is also subject to the general rule of law that any person who aids or abets a violation of law by another is himself guilty of a violation. It may be stated as a general principle that any person who arranges for credit to be extended by someone else has a responsibility so to conduct his activities as not to be a participant in a violation of Part 220 which applies to brokers, or Part 221 of this subchapter, which applies to banks.

(c) More specifically, in arranging an extension of credit that may be subject to Part 221 of this subchapter, a broker must act in good faith and, therefore, must question the accuracy of any nonpurpose statement (i. e., a statement that the loan is not for the purpose of purchasing or carrying registered stocks) given in connection with the loan where the circumstances are such that the broker from any source knows or has reason to know that the statement is incomplete or otherwise inaccurate as to the true purpose of the credit. The requirement of "good faith" is of vital importance. While the application of the requirement will necessarily vary with the facts of the particular case, the broker, like the bank for whom the loan is arranged to be made, must be alert to the circumstances surrounding the loan. Thus, for example, if a broker or dealer is to deliver registered stocks to secure the loan or is to receive the proceeds of the loan, the broker arranging the loan and the bank making it would be put on notice that the loan would probably be subject to Part 221 of this subchapter. In any such circumstances they could not in good faith accept or rely upon a statement to the contrary without obtaining a reliable and satisfactory explanation of the situation. The foregoing, of course, applies the principles contained in § 221.101 of this subchapter.

(d) In addition, when a broker is approached by another broker to arrange extensions of credit for customers of the approaching broker, the broker approached has a responsibility not to arrange any extension of credit which the approaching broker could not himself arrange. Accordingly, in such cases the statutes and regulations forbid the approached broker to arrange extensions of credit on unregistered securities for the purpose of purchasing or carrying either registered or unregistered securities. The approaching broker would also be violating the applicable requirements if he initiated or otherwise participated in any such forbidden transactions.

(e) The expression of views, set forth in this section, to the effect that certain specific transactions are forbidden, of course, should not in any way be understood to indicate approval of any other transactions which are not mentioned.

(Sec. 11 (1), 33 Stat. 262; 12 U. S. C. 248 (1). Interprets or applies secs. 3, 7, 8, 17, 23, 43 Stat. 832, 836, 838, 837, 901, as amended; 15 U. S. C. 78c, 78z, 78h (a), 78g (b), 78w)

EOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM, [SEAL] MERRITT SHERMAN, Assistant Secretary.

[F. R. Doc. 53-7967; Filed, Sept. 14, 1953; 8:48 a. m.]

[Reg. U]

PART 221-LOANS BY BANKS FOR THE PUR-POSE OF PURCHASING OR CARRYING REG-ISTERED STOCKS

ARRANGING FOR EXTENSIONS OF CREDIT TO BE MADE BY A BANK; RELIANCE IN "GOOD PAITH" ON STATEMENT OF PURPOSE OF LOAN

1. Section 221.105 is added as follows:

§ 221.105 Arranging for extensions of credit to be made by a bank. For text of this interpretation, see § 220.111 of this subchapter.

2. Section 221.106 is added as follows:

§ 221.106 Reliance in "good faith" on statement of purpose of loan. (a) Certain situations have arisen from time to time under Part 221 wherein it appeared doubtful that, in the circumstances, the lending banks may have been entitled to rely upon the statements accepted by them in determining whether the purposes of certain loans were such as to cause the loans to be not subject to the part.

(b) The use by a lending bank of astatement in determining the purpose of a particular loan is, of course, provided for by paragraph (a) of § 221.3. However, under that paragraph a lending bank may "rely" upon any such state-ment only if it is "accepted by the bank in good faith." As the Board stated in the interpretation contained in § 221.101, the "requirement of 'good faith' is of vital importance"; and, to fulfill such requirement, "it is clear that the bank must be alert to the circumstances surrounding the loan"

(c) Obviously, such a statement would not be accepted by the bank in "good faith" if at the time the loan was made the bank had knowledge, from any source, of facts or circumstances which were contrary to the natural purport of the statement, or which were sufficient reasonably to put the bank on notice of the questionable reliability or completeness of the statement.

(d) Furthermore, the same requirement of "good faith" is to be applied whether the statement accepted by the bank is signed by the borrower or by an officer of the bank. In either case, "good faith" requires the exercise of special diligence in any instance in which the borrower is not personally known to the bank or to the officer who processes the loan.

(e) The interpretation set forth in § 221.101 contains an example of the application of the "good faith" test. There it was stated that "if the loan is to be made to a customer who is not a broker or dealer in securities, but such a broker or dealer is to deliver registered stocks to secure the loan or is to receive the proceeds of the loan, the bank would be put on notice that the loan would probably be subject to this part. It could not accept in good faith a statement to the contrary without obtaining a reliable and satisfactory explanation of the situation'

(f) Moreover, and as also stated by the aforementioned interpretation contained in § 221.101, the "purpose" of a loan, of course, "cannot be altered by some temporary application of the proceeds. For example, if a borrower is to purchase Government securities with the proceeds of a loan, but is soon thereafter to sell such securities and replace them with registered stocks, the loan is clearly for the purpose of purchasing or carrying registered stocks" The purpose of a loan, therefore, should not be determined upon a narrow analysis of the immediate use to which the proceeds of the loan are put. Accordingly a bank acting in "good faith" should carefully scrutinize cases in which there is any indication that the borrower is concealing the true purpose of the loan, and there would be reason for special vigilance if registered stocks are substituted for bonds or unregistered stocks soon after the loan is made, or on more than one occasion.

(g) Similarly, the fact that a loan made on the borrower's signature only, for example, becomes secured by registered stock shortly after the disbursement of the loan usually would afford reasonable grounds for questioning the bank's apparent reliance upon merely a statement that the purpose of the loan was not to purchase or carry registered stock.

(h) These examples are, of course, by no means exhaustive. They simply illustrate the fundamental fact that no statement accepted by a bank is of any value for the purposes of the regulation unless "accepted by the bank in good faith" and that "good faith" requires, among other things, reasonable diligence to learn the truth.

(Sec. 11 (i), 38 Stat. 262; 12 U. S. C. 248 (i). Interpret or apply secs. 3, 7, 17, 23, 48 Stat. 882, 886, 897, 901, as amended; 15 U.S.C. 78c, 78g, 78g (b), 78w)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM [SEAL] MERRITT SHERMAN,

Assistant Secretary.

[F. R. Doc. 53-7966; Filed, Sept. 14, 1953; 8: 47 a. m.]

TITLE 16—COMMERCIAL **PRACTICES**

Chapter I—Federal Trade Commission

Subchapter B-Trade Practice Conference Rules [File No. 21-447]

PART 215-PORTRAIT PHOTOGRAPHIC INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES

Due proceedings having been held under the trade practice conference procedure in pursuance of the act of Congress approved September 26, 1914. as amended (Federal Trade Commission Act) and other provisions of law administered by the Commission;

It is now ordered, That the trade practice rules as hereinafter set forth, which have been approved by the Commission in this proceeding, be promulgated as of September 15, 1953.

Statement by the Commission. Trade practice rules for the Portrait Photographic Industry, as hereinafter set forth, are promulgated by the Federal Trade Commission under the trade practice conference procedure.

Such rules are directed to the elimination and prevention of unfair trade practices to the end that the industry the trade, and the public may be protected from the harmful effects of unfair methods of competition, unfair or deceptive acts or practices, and other trade abuses. They are to be applied to such end and to the exclusion of any unlawful acts or practices which suppress competition or otherwise unreasonably restrain trade.

Industry members are those persons. firms, corporations, or organizations engaged in the business of taking and selling photographs of human beings, except that those engaged solely in taking motion pictures or photographs for use in theaters or on television broadcasts. or in newspapers, magazines, books, sales promotional literature, etc., are not to be considered as members of the industry to which the rules are applicable. Products of the industry to which the rules have application include not only photographs of human beings, but duplicates, enlargements, and reductions thereof. and frames and accessories sold in combination therewith. Aggregate annual sales of industry products approximate \$175,000,000.

Proceedings for the establishment of rules were instituted upon application made by industry members. A general industry conference was held in Chicago, Illinois, at which proposals for rules were submitted for consideration of the Commission. Thereafter, a draft of proposed rules was published by the Commission and made available to all industry members and other interested or affected parties upon public notice whereby they were afforded opportunity to present their views, including such pertinent information, suggestions, amendments, or objections, as they desired to offer, and to be heard in the premises. Pursuant to such notice, a public hearing was held ın Chicago, Illinois, and all matters there presented, or otherwise received in the proceeding, were duly considered.

Thereafter, and upon full consideration of the entire matter, final action was taken by the Commission whereby it approved the rules as heremafter set forth.

Such rules become operative thirty (30) days from the date of promulgation.

The rules. These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of protecting industry, trade, and the public. It is to this end, and to the exclusion of any act or practice which fixes or controls prices through combination or agreement, or which unreasonably restrains trade or suppresses competition, or otherwise unlawfully injures, destroys, or prevents competition, that the rules are to be applied.

215.0 Definitions.

215.1 Misrepresentation (general)

Deception as to character of business.

Deception as to business status,
training, skill, etc. 215.2 215.3

215.4 Misrepresentation as to equipment and methods used.

215.5 Misrepresentation as to finishing and coloring.
Misrepresentation as to "made for

215.6 exhibit purposes."

Misrepresentation as to "contests." 215.7

215.8 Deceptive use of coupons. 215.9

Misuse of the word "Free."
Misuse of the term "You have been have been selected," etc.

215.11 Guaranties, warranties, etc.

215.12 Deceptive use of odd-style frames. etc.

Misrepresentation as to samples, etc. Deceptive pricing.

Deceptive use and imitation of trade 215.14

215.15 or corporate names, trade-marks, etc.

215.16

Use of lottery. Defamation of competitors or false 215.17 disparagement of their products. 215.18 Selling below cost.

215.19 Alding or abetting use of unfair trade practices.

AUTHORITY: §§ 215.0 to 215.19 issued under sec. 6, 38 Stat. 722; 15 U.S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45.

§ 215.0 Definitions. As used in this part the terms "industry member" and "industry product" shall have the following meanings, respectively.

(a) Industry member Any person, firm, corporation, or organization engaged in the business of taking and selling photographs of human beings.

(b) Industry products. Photographs of human beings, whether in black and white or in color, and duplicates, enlargements, and reductions of such photographs. Also, frames and accessories for such photographs when sold in combination therewith.

Note: Motion pictures or photographs which are to be used primarily or exclusively in theater exhibition or television broad-casting, or for appearance in newspapers, magazines, books, or some form of commercial advertisement, are not to be considered as industry products and persons, firms, corporations, and organizations ongaged exclusively in taking or selling such photographs or pictures are not to be considered as "industry members."

General statement. The unfair trade practices embraced in the rules herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

§ 215.1 Misrepresentation (general). (a) In connection with the sale, offering for sale, or distribution of industry products, it is an unfair trade practice for any industry member to make any representation concerning the size, quality, kind of finish, workmanship, or price, of any industry product, or concerning the experience or competency of the industry member or his employees in the taking or processing of portraits, or concerning the equipment and facilities used by the industry member in the taking or processing of portraits, which has the capacity and tendency or effect of deceiving purchasers or prospective purchasers.

(b) The inhibitions of this section are applicable to any and all advertising or sales promotional presentations of an industry member, whether appearing in a newspaper or other periodical, in a radio or television broadcast, in a telephone directory listing, as a statement or mark on a portrait or on the frame or wrapping thereof, or otherwise. Such inhibitions also apply to any verbal representation made by an industry member or his employee or agent. [Rule 1]

§ 215.2 Deception as to character of business. In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice for any industry member to deceive purchasers or prospective purchasers as to the nature. type, extent, or volume of his business.

Among the practices to be regarded as inhibited by this section is that of an industry member using a corporate or trade name-

(a) Containing the word "studio." or any word or term of similar import, when the industry member does not own and operate, or directly and absolutely control, a photographic studio; or

(b) Containing the words "art institute," "art association," "art gallery," or any word or term of similar import, when the industry member does not own and operate, or directly and absolutely control, an establishment of the character indicated and comprehended by the said word or words; or

- (c) Containing the word "press" or "news," or any word or term of similar import, when no part of, or but an insubstantial portion of, the business of the industry member consists of the taking of photographs for use by a newspaper or other news-gathering or news-dissemmating agency and when the business of the industry member is not associated with any newspaper or other newsgathering or news-disseminating agency. [Rule 2]
- § 215.3 Deception as to business status, training, skill, etc. In the sale, offering for sale, or distribution of in-dustry products, it is an unfair trade practice for any member of the industry to make, or cause to be made, any statement or representation which has the capacity and tendency or effect of deceiving customers or prospective customers with respect to the size or reputation of his business, or as to his business status or affiliation, or as to the training, skill, or reputation of himself or any of his employees.
- (a) Among the practices inhibited by this section are:
- (1) Representing or implying that portrait photographs will be taken by photographers from, or experienced in photography in, Hollywood, California, when such is not the fact.
- (2) Making or causing to be made any false or misleading representation

with respect to the skill, reputation, or training of photographers, as for example, the use of such term as "noted photographer of children" as descriptive of the fitness or ability of a photographer to photograph children when in fact such photographer has not acquired a reputation for the taking of children's pictures.

(3) Making or causing to be made any false or misleading representation with respect to membership in trade associations, photographic associations or clubs, or art associations, or in any other similar group. [Rule 3]

§ 215.4 Misrepresentation as to equipment and methods used. It is an unfair trade practice for any member of the industry to make, or cause to be made, any false, misleading, or deceptive statement as to equipment and methods used by the industry member in the taking or processing of photographs.

Note: Examples of such statements within the inhibitions of this section are (1) "electronic color camera," when no such camera is being used, and (2) "Hollywood studio lighting," when such lighting is not being

[Rule 4]

§ 215.5 Misrepresentation as to finishing and coloring. It is an unfair trade practice to make, or cause to be made, any false, misleading, or deceptive statements as to the quality and type of finish or photographic prints being offered. Examples of the type of statements prohibited within the inhibitions of this section are:

(a) Using the terms "oil painting." "portrait painting," or any other word or term of similar import, as a designation for, or descriptive of, a tinted or colored photograph or picture made from a photographic base.

Note: Nothing in paragraph (a) of this section should be construed as inhibiting the use of such terms as "oll painted photograph" or "oll colored portrait photograph" as descriptive of a product made from a photographic base and colored in oil.

(b) Using the term "gold-tone," or any other word or term of similar import or meaning, either alone or in combination with other words or terms, to designate, describe, or refer to a photographic reproduction which is not a product resulting from a finishing process involving the use of a toning or developing bath employing salts or chloride of gold.

(c) Using the word "platinum" as descriptive of a photographic product not made by what is known as the Platinotype Process involving the use of a platmum salt in the sensitizing solution or

developer.

(d) Using the word "etching," or any other word or term of similar import or meaning, either alone or in combination with other words or terms, as a designation for, or as descriptive of, any picture, print, photograph, or other product not produced from etched plates.

(e) Using the word "silk," or any term containing the word "silk," in any way to describe or refer to pictures which are not in fact printed on silk: or to make any other misleading, false, or deceptive statement as to the material upon which the photograph or other photographic product is printed. [Rule 5]

§ 215.6 Misrepresentation as to "made for exhibit purposes." It is an unfair trade practice to represent or imply that any photograph or miniature, or any other photographic product, has been included in, or made a part of, an exhibit or an exhibition of photographs when such is not the fact, or to represent that any such photograph or photographic product will be exhibited or made a part of an exhibition when it is not contemplated or intended that such products will be exhibited or made a part of an exhibition. [Rule 6]

§ 215.7 Misrepresentation as to "contests." It is an unfair trade practice to make, or cause to be made, directly or by implication, through advertising of any kind, or otherwise, any false, misleading, or deceptive statement as to "contests" of any type or description.

(a) Among the practices inhibited by this section are:

- (1) Representing or implying that a specified sum of money or monetary amount in awards will be made to winners in a contest unless the specified sum or amount in awards is made in cash.
- (2) Failing to disclose in the advertising of any contest the conditions and requirements which govern the selection of contest winners, including the extent to which such selection is controlled or influenced by the purchase of advertiser's merchandise.

(3) Representing, directly or by implication, that awards in a specified number or value will be made in any contest unless such awards are actually conferred. [Rule 7]

§ 215.8 Deceptive use of coupons. It is an unfair trade practice to make, or cause to be made, directly or by implication, in advertising or otherwise, any false, misleading, or deceptive statements with regard to subject matter carried on so-called "coupons." Included in the scope of this section are: statements referring to "limited" dates, when there is, in fact, no limit; "one per family" limitations, when, in fact, there are no such limitations; and failing to disclose on such coupons that additional purchases of any type are a prerequisite to receiving the offer made on the coupon itself, if in fact such a prerequisite is imposed. [Rule 8]

§ 215.9 Misuse of the word "free," It is an unfair trade practice to use the word "free," or any other word or term of similar import or meaning, to designate, describe, or refer to any article of merchandise which is not in fact a gift or gratulty or which is not given without requiring the purchase of other merchandise or the performance of some service inuring, directly or indirectly, to the benefit of the donor of such so-called gift. [Rule 9]

§ 215.10 Misuse of the term "you have been selected," etc. It is an unfair trade practice to represent, directly or indirectly, that photographs sold in the regular course of business at the usual and customary prices therefor are, or will be, sold only to a limited number of customers, or to "a few lucky persons," or to indicate that the recipient of such offer "has been selected," or to represent in any manner that the purchaser is receiving an advantage in price or other consideration not ordinarily available. [Rule 10]

§ 215.11 Guaranties, warranties, etc.
(a) It is an unfair trade practice to use any guarantee respecting a photograph or other industry product which does not make reasonable disclosure of the conditions or limitations of such guarantee, or which contains statements, representations, or assertions which have the capacity and tendency or effect of misleading or deceiving in any respect, or which are of such form, text, or character as to represent or imply that the guarantee is broader than is in fact true.

(b) It is an unfair trade practice for the guarantor to fail to observe scrupulously his obligation under the guarantee by him used or caused to be used.

(c) This section shall be applicable also to warranties or any writing purported to be a guarantee or warranty. [Rule 11]

§ 215.12 Deceptive use of odd-style frames, etc. It is an unfair trade practice deceptively to conceal from or fail to disclose to customers at the time photographs are ordered that the finished picture, when delivered, will be so shaped and designed that it can only be used in a specially designed, odd-style frame which can only be purchased from the producer of the photographs or which is not generally available on the open market or that segment of the market open and convenient to the customer. [Rule 12]

§ 215.13 Misrepresentation as to samples, etc. It is an unfair trade practice to exhibit to prospective customers as samples of work any photographs or pictures which are not in fact representative of pictures produced and sold by the exhibitor of such samples; or to represent, directly or by implication, that a photograph to be made and delivered will be equal in type, quality, and workmanship to the samples displayed to the customer, unless the picture delivered is, in fact, equal in type, quality, and workmanship to such samples. [Rule 13]

§ 215.14 Deceptive pricing. (a) It is an unfair trade practice for any member of the industry to represent or imply that an industry product may be pur-chased for a specified price when such is not the fact; or to represent or imply that an industry product is being offered for sale at a reduced price or special price saving when the claimed reduced price or saving is not based on the bona fide usual and customary selling price of the product in effect immediately prior in point of time to such representation, or otherwise to represent the prices or terms of sale of industry products in such manner having the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers.

(b) It is an unfair trade practice to sell or offer for sale any industry product at a price less than the cost thereof to the seller as a "loss leader" used in inducing, and sold only in combination with, the purchase of other merchandise on which the seller recoups such loss, when this practice has the capacity and tendency or effect of misleading or deceiving the purchasing public. [Rule 14]

§ 215.15 Deceptive use and imitation of trade or corporate names, trademarks, etc. It is an unfair trade practice for any member of the industry to—

(a) Imitate or cause to be imitated, or directly or indirectly promote the imitation of, the trade-marks, trade names, or other exclusively owned symbols or marks of identification of competitors in a manner having the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the buying public; or

(b) Use any trade name, corporate name, trade-mark, or other trade designation which has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers as to the character, name, nature, or origin of any product of the industry, or of any material used therein, or which is false or misleading in any material respect. [Rule 15]

§ 215.16 Use of lottery. (a) The offering or giving of prizes, premiums, or gifts in connection with the sale or offering for sale of industry products, or as an inducement thereto, by means of a game of chance or lottery scheme, is an unfair trade practice.

(b) Among the practices inhibited by this section is the use of a "draw," "draw contest," or so-called "lucky" blank or any other lottery scheme or game of chance to promote the sale of industry products. [Rule 16]

§ 215.17 Defamation of competitors or false disparagement of their products. It is an unfair trade practice to defame competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or falsely to disparage competitors' photography in any respect, or their business methods, selling prices, values, credit terms, policies, or services. [Rule 17]

§ 215.18 Selling below cost. (a) The practice of selling products of the industry at a price less than the cost thereof to the seller, with the intent or purpose, and where the effect may be, to injure, suppress, or stifle competition or tend to create a monopoly in the production or sale of such products, is an unfair trade practice.

(b) As used in this section the term "cost" means the total cost to the seller, including the costs of acquisition, processing, preparation for marketing, sale, and delivery. All elements recognized by good accounting practice as proper elements of such cost shall be included in determining cost under this section. The costs referred to in this section are actual costs of the respective seller and not some other figure or average costs in the industry determined by an industry cost survey or otherwise.

(c) This section is not to be construed as prohibiting all sales below cost, but

only such selling below the seller's cost as is resorted to and pursued with the wrongful intent or purpose referred to and where the effect may be to injure, destroy, or prevent competition, or tend to create a monopoly. [Rule 18]

§ 215.19 Aiding or abetting use of unfair trade practices. It is an unfair trade practice for any person, firm, or corporation to aid, abet, coerce, or induce another, directly or indirectly, to use or promote the use of any unfair trade practice specified in this part. [Rule 19]

Issued: September 9, 1953.

Promulgated by the Federal Trade Commission September 15, 1953.

[SEAL] ALEX. AKERMAN, Jr., Secretary.

[F R. Doc. 53-7955; Filed, Sept. 14, 1953; 8:46 a. m.]

[File No. 21-250]

PART 216-MILLINERY INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES

Due proceedings having been held under the trade practice conference procedure in pursuance of the act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act) and other provisions of law administered by the Commission;

It is now ordered, That the trade practice rules of Group I and Group II, as hereinafter set forth, which have been approved and received, respectively, by the Commission in this proceeding, be promulgated as of September 15, 1953.

Statement by the Commission. Trade

Statement by the Commission. Trade practice rules for the Millinery Industry, as hereinafter set forth, are promulgated by the Federal Trade Commission under the trade practice conference procedure.

The rules are directed towards maintaining fair competitive conditions in the industry and protecting buyers and prospective buyers of millinery products from deception. They are designed to meet particular needs of the industry and should not be construed as covering all acts or practices prohibited by laws administered by the Commission.

Members of the industry are the persons, firms, corporations, and organizations engaged in the importation, production, or marketing of millinery products. Annual gross sales of millinery at wholesale are estimated to ap-

proximate \$200,000,000.

Proceedings leading to the establishment of rules were instituted upon application made on behalf of industry members. A general industry conforence was held in Washington, D. C., at which proposals for rules were submitted. Upon request, a second session of this conference was held in New York City at which further suggestions were received. Thereafter, a draft of proposed rules was released by the Commission and public hearing thereon was held in Washington, D. C., at which all interested or affected parties were afforded opportunity to present their views, suggestions, or objections regarding the rules.

Following such hearing, and upon consideration of the entire matter, final action was taken by the Commission whereby it approved and received, respectively, the trade practice rules hereinafter appearing in Group I and Group II.

Such rules become operative thirty (30) days from the date of promulgation. The rules. These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of protecting industry, trade, and the public. It is to this end, and to the exclusion of any act or practice which fixes or controls prices through combination or agreement, or which unreasonably restrains trade or suppresses competition, or otherwise unlawfully injures, destroys, or prevents competition, that the rules are to be applied.

Sec. 216.0 Definition.

GROUP I

216.1 Deception (general).
216.2 Deception as to origin of wool felt and fur felt hats and hat bodies (with labeling requirements specified).
216.3 Decentive concealment of fact that

216.3 Deceptive concealment of fact that hat bodies, hats, or components thereof, are not new.
216.4 Deceptive sales of sample hats.

216.5 Prohibited use of fictitious price. 216.6 False invoicing.

216.7 Prohibited forms of trade restraints (unlawful price-fixing, etc.)
216.8 Prohibited discrimination.

GROUP II

216.101 Disclosure of terms and conditions of sale.
 216.102 Arbitration.

216.103 Return of merchandise.

AUTHORITY: §§ 216.0 to 216.103 issued under sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45.

§ 216.0 Definition. Members of the industry for which these trade practice rules are established are the persons, firms, corporations, and organizations engaged in the importation, production, or marketing of millinery and components thereof.

GROUP I

General statement. The unfair trade practices embraced in §§ 216.1 to 216.8 are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, firm, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

§ 216.1 Deception (general). It is an unfair trade practice to use, or cause or promote to the use of, any trade promotional literature, advertising matter, mark, brand, label, trade name, designation, or other type of oral or written representation, however disseminated or published, or to fail to disclose any material fact, when such representa-

tion or failure to disclose has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers with respect to the quality, style, origin, value, substance, grade, kind, size, production, manufacture, or distribution of any hat body, or hat or component thereof, or has the capacity and tendency or effect of deceiving purchasers in any other material respect. [Rule 1]

§ 216.2 Deception as to origin of wool felt and fur felt hats and hat bodies (with labeling requirements specified)
(a) It is an unfair trade practice to offer for sale, sell, or distribute any wool felt or fur felt hat body which has been manufactured in a foreign country, or any hat made in the United States of such imported hat body, without clearly and conspicuously disclosing the foreign country of origin of such imported hat body in the inside center tip of the crown of such hat body and hat by a stamp or mark which cannot readily be hidden or obliterated.

Note: The stamp or mark required by paragraph (a) of this section must contain the word "body" and show that the hat body has been manufactured in the foreign country, as for example: "body made in _____."

Country

The word "body" shall be used in marking all imported bodies, crowns, hoods, and other fur felt and wool felt products designed for use as the basic material and foundation of millinery regardless of their size or chape, as for example, an imported wool felt hood should be marked "body made in ______."

Country

(b) It is an unfair trade practice to remove, cover, or otherwise destroy any stamp or mark required by paragraph (a) of this section unless the person removing, covering, or destroying such stamp or mark shall re-stamp or re-mark the hat body or hat as required by said paragraph (a) Provided, however, Where the inside center tip of the crown of said imported hat body is removed in the manufacture of a hat, the required stamp or mark disclosing country of foreign origin may be placed on some other conspicuous part of the hat.

(c) With respect to hat bodies made in the United States of imported wool or fur, or American-made hats composed of such hat bodies or composed of imported hat bodies or of any other component grown or made in a foreign country, it is an unfair trade practice to offer for sale, sell, or distribute any such American-made hat bodies or hats under any representations or circumstances which have the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers into the erroneous belief that such Americanmade hat bodies or hats are imported. [Rule 2]

§ 216.3 Deceptive concealment of fact that hat bodies, hats, or components thereof, are not new. (a) It is an unfair trade practice to offer for sale, sell, or distribute any hat body or hat which previously has been used, or any hat made of a previously-used hat body or other component, without clearly and conspicuously disclosing the second-

hand condition of said hat body, hat, or component thereof, as the case may he—

(1) In the inside center tip of the crown of such hat body and hat by a stamp or mark which cannot readily be hidden or obliterated; or

(2) In all advertisements made with respect to said hat body, hat, or component thereof.

Nors: Designation of such hat bodies and hats as "re-worked," "used," "made-over," "re-used," or "re-processed," or by a similar term, is not deemed to be adequately informative under this section. However, nothing in this section is intended to prohibit a disclosure that the hat body or other component has been renovated where such is the fact, and provided its second-hand condition is also disclosed. Where new components have been added to a second-hand hat body, nothing in this section shall prevent such components from being represented as new, as for example, a hat made of a second-hand hat body with new ribbon and feathers may be described as "second-hand body, decorations new."

(b) It is an unfair trade practice to remove, cover, or otherwise destroy any stamp or mark required by paragraph (a) of this section unless the person removing, covering, or destroying such stamp or mark shall re-stamp or remark the hat body or hat as required by said paragraph (a) Provided, however Where the inside center tip of the crown of said hat body is removed in the manufacture of a hat, the required stamp or mark disclosing its second-hand condition may be placed on some other conspicuous part of the hat. [Rule 3]

§ 216.4 Deceptive sales of sample hats. It is an unfair trade practice to advertise or offer for sale as "sample hats" any hats which are not invoiced or otherwise certified by the manufacturer or jobber to the retailer as such and which have not been used specifically and solely for display or order-taking purposes by the manufacturer or jobber. [Rule 4]

§ 216.5 Prohibited use of fictitious price. It is an unfair trade practice for any member of the industry to advertise, offer, or sell a product (a) at a price purported to be reduced from what is in fact a fictitious price, or (b) at a purported reduction in price which is in fact a fictitious one. IRule 51

§ 216.6 False mrowing. It is an unfair trade practice to withhold from or insert in invoices any statements or information by reason of which omission or insertion a false record is made, wholly or in part, of the transactions represented on the face of such invoices, with the capacity and tendency or effect of thereby misleading or deceiving purchasers, prospective purchasers, or the consuming public. [Rule 6]

§ 216.7 Prohibited forms of trade restraints (unlawful price-fixing, etc.).

The inhibitions of this section are subject to Public Law 542, approved July 14, 1352, 66 Stat. 632 (the McGuire Act) which provides that with respect to a commodity which bears, or the label or container of which bears, the trade-mark, brand, or name of the producer or distributor of such commodity and which is in free and open commodity and which is in free and open com-

It is an unfair trade practice for any member of the industry, either directly or indirectly to engage in any planned common course of action, or to enter into or take part in any understanding, agreement, combination, or conspiracy, with one or more members of the industry, or with any other person or persons, to fix or maintain the price of any goods or otherwise unlawfully to restrain trade: or to use any form of threat. intimidation, or coercion to induce any member of the industry or other person or persons to engage in any such planned common course of action, or to become a party to any such understanding, agreement, combination, or conspiracy. [Rule •7]

§ 216.8 Prohibited discrimination 2-(a) Prohibited discriminatory prices, or rebates, refunds, discounts, credits, etc., wlich effect unlawful price discrimination. It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, either directly or indirectly, to discriminate in price between different purchasers of commodities of like grade and quality where either or any of the purchases involved in such discrimination are in commerce, where such commodities are sold for use, consumption, or resale within the United States or any Territory thereof or the District of Columbia or any insular possession or other place under the jurisdiction of the United States, and where the effect of such discrimination may be substantially to lessen competition or tend to create a monopoly in any line of commerce. or to injure, destroy or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: Provided. That nothing

petition with commodities of the same general class produced or distributed by others, a seller of such a commodity may enter into a contract or agreement with a buyer thereof which establishes a minimum or stipulated price at which such commodity may be resold by such buyer when such contract or agreement is lawful as applied to intrastate transactions under the laws of the State, Territory, or territorial jurisdiction in which the resale is to be made or to which the commodity is to be transported for such resale, and when such contract or agreement is not between manufacturers, or between wholesalers, or between brokers, or between factors, or between retailers, or between persons, firms, or corporations in competition with each other.

²The term "commerce," as used in this section, is to be construed as it is defined in section 1 of the Clayton Act, which definition is as follows:

tion is as follows:

"Commerce" * * * means trade or commerce among the several States and with foreign nations, or between the District of Columbia or any territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States, * * *

contained in this paragraph (a) shall prevent—

(1) Differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered; or

(2) Price changes from time to time where in response to changing conditions affecting the market for or the marketability of the goods concerned, such as but not limited to actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned; or

(3) Persons engaged in selling goods, wares, or merchandise in commerce from selecting their own customers in bona fide transactions and not in restraint of trade.

(b) Prohibited brokerage and commissions. It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, to pay or grant, or to réceive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) Prohibited advertising or promotional allowances, etc. It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) Prohibited discriminatory services or facilities. It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furfurnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all competing purchasers on proportionally equal terms.

(e) Inducing or receiving an illegal discrimination in price. It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

ing provisions of this section.

(f) Exemptions. The inhibitions of this section shall not apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit.

Note: In complaint proceedings charging discrimination in price or services or facilities furnished, and upon proof having been made of such discrimination, the burden of rebutting the prima facie case thus made by showing justification shall be upon the person charged; and unless justification shall be affirmatively shown, the Commission is authorized to issue an order terminating the discrimination: Provided, however That nothing herein contained shall prevent a seller rebutting the prima facie case thus made by showing that his lower price or the furnishing of services or facilities to any purchaser or purchasers was made in good faith to meet an equally low price of a competitor, or the services or facilities furnished by a competitor. See (Sec. 2-b, Clayton Act.)

[Rule 8]

GROUP II

General statement. Compliance with trade practice provisions embraced in §§ 216.101 to 216.103 is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of §§ 216.101 to 216.103 does not per se constitute violation of law. Where, however, the practice of not complying with such rules is followed in a manner as to result in unfair methods of competition or unfair or deceptive acts or practices, corrective proceedings in respect thereto may be instituted by the Commission as in the case of violation of §§ 216.1 to 216.8.

§ 216.101 Disclosure of terms and conditions of sale. The industry disapproves the practice by individual members of the industry of issuing orders or invoices which do not accurately and completely set forth the conditions of sale, including the quantity and price of goods sold, the discount, and all other pertinent terms. The use of such terms as "as had" in the invoice is not considered to be in accord with the provisions of this section. [Rule A]

§ 216.102 Arbitration. The industry approves the practice of handling business disputes between members of the industry, or between members of the industry and their customers or suppliers, in a fair and reasonable manner, coupled with a spirit of moderation and good will, and every effort should be made by the disputants themselves to compose their differences. If unable to do so they should, if possible, submit these disputes to impartial arbitration. [Rule B]

Chapter II—Civil Aeronautics Administration, Department of Commerce TITLE 14—CIVIL AVIATION mission and to perform such acts as may be legal and proper in the furtherance of fair competitive practices and in pro-moting the effectiveness of the rules in cooperate with the Federal Trade Com-

Amdt 37

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES ALTERATIONS

Trade

Promulgated by the Federal Commission September 15, 1953 Issued: September 9, 1953

this part

out just cause creates waste and loss in-creases the cost of doing business to the detriment of both the industry and the

public, and is condemned by the industry. If merchandise is returnable for just

such

promptly

The practice, by members of the industry, of selling merchandise and later permitting the purchaser to return it for

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credit or refund of purchase price, with-

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety of the flying public Compliance

Secretary

Doc

Industry Committee A Committee on Trade Practices is hereby authorized to

ALEX AKERMAN, Jr

[SEAL] ß <u>F</u>4

with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest and therefore is not required Part 609 is amended as follows:

1 Section 609 3 (f) (1) published on May 14, 1953 in 18 F. R. 2783, is amended by deleting '\$ 609 12 (a) (2) through (3) (iii)" and substituting '\$ 609 12 (a) (2) through (d) (3) (iii)"

2 The low frequency range procedures prescribed in § 609 6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE 53-7054; Filed Sept 14 1053; 8:45 a m]

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Bearings, headings, and	If an LFR instrument approach is conduce authorized by the Administrator for the particular area or as set forth below	

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linimum alt	Celling at		Condition	8	7-4 6-4 1-4 1-4 1-4	404 444 444	8-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4	404 444
	Course and distance, facility to alriport			7	311 2.0	2.4	28	ed.
over specifie	Minimum altitudo over facility on final approach courso (ft)			0	1, 600'	2, 100'	1,69	2 38
Initial approaches shall be made over specified routes	Procedure turn () side of final approach course (out bound, and inbound); al titudes; limiting distances			2	East side south cource: 101 outbound 341 inbound 2 400 within 25 miles.	West alde north cource 005 outbound 185 inbound 2,600' within 23 miles,	East side couth course; 183 outbound 093 inbound 2,100° within 25 miles	South sido cast course: Gro outbound 2.50 inbound 3 400° within 25 miles
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below Givil Acronautics for	Initial approach to facility			2	MEA all directions—Aber- deen VOR	MEA, all directions	MEA, all directions	MEA all directions
dure authorized by the Administrator for Civil Aeronauties for such alrport the particular area or as set forth below		Olly and state; alroort name, elevation; facility; class and identification; procedure No:		1	ADERDEEN, 6. DAE. 1307 Aberden BURZ-VDT-ABR Precedur No. 1 Aug. 16, 103	ALEXANDRIA, MINN Amilepal Atrport 1827, 1827 DIALZ-VDT-AXN Freecling No 1 Aug 16, 1833	DATTLE ORDER, MOH Kellent Flold byt, BRIMLE-VDT-BTL PRECEDEN NO I Aug 18 1033	BIGMAROK, N. DAK Municpal 1,633 BB RAZ-VDT-BIG Procedure No 1 Aug. 16, 1633

3 The automatic direction finding procedures prescribed in § 609 9 are amended to read in part;

ADF Standard Instrument Approach Procedure

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSD. Cellings are in feet above alread in accordance with a different procedure auth If an ADF instrument approach is conduced at the below named alread, it shall be in accordance with the following instrument approach procedure, unless an approach is conduced in accordance with a different procedure and accordance with a different procedure and a different procedure are a confined as a different procedure and a diffe

	If visual contact not established at authorized land ing minimums after passing facility within dis	מונים בלינים או אינים של מינים	11		*800-135 regulred if approach lights inoperative OAUTION: Radio towers 1,800' and 1,766' 2 miles N and 15 mile S. respectively, of airport. Radio	tower 2 413' 4 miles N and 8 miles E of LFR				
ninimums	Type aircraft	More than 75 m p h	10	300-1	80-1 80-1 80-1		_			
Celling and visibility minimums	Type (75 m. p. h or less	6	300-1	777 828 828					
Celling an		Condition	8	-0-C	S-dn 30 A-dn					
•	Course and distance, facility to all port									
Minimum altitude over facility appropriate ourse (ft.)										
Procedure turn (—) side of final approach course (out obound and inbound); all titudes; limiting distances of the course in the course; large of course; large outbound soft hoomed 300 hoomed 300 within 10 miles 3 200 within 26 miles										
	Minimum		4	MEA	3 000	3 000	3,000	3,000	3,000	3 000
,	Course	distance	69		189 3 0	153 4 0	125 6 0	243 30 0	282 10 0	125 3 6
	Initial approach to facility		2	All directions Blsmarck VOR Blsmarck LFR Int. W crs. Blsmarck and 126° brg to LOM Int. E crs. Blsmarck and 243° brg to LOM Int. 250 crs to BIS-VOR and 222° brg to LOM The RO crs to RIS-VOR				Int. 82 crs. to BIS.VOR and 125° brg to LOM		
	Olty and state; alroort name, elevation; facility; class and identification: procedure No.	effective date	pri	BISMAROK, N DAK	Municipal 1,653 BI; LOM	Aug 16, 1953				

4 The instrument landing system procedures prescribed in § 609 11 are amended to read in part;

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

a different proceduraauthor m in the particular area or as		If visual contact not estab lished upon descent to authorized janding mini-	mums or if landing not accomplished	13	Olimb to 3,300 on W course Dismarck LFR or	on a 262° course from BIS-VOR to Judson FAL	OAUTION: Radio towers 1,800' and 1,760' 2 miles N and ½ mile 8, respec	tively, of airport, Radio tower 2,413' 4 miles N and 8 miles E of LFR		
itlon. lance with to operatio	bility	Typo alreraft	More than 75 m p h	12	300-1	800-3%				
rport eleve ed in accord I for en rou	Celling and visibility minimums	Type o	75 m. p. h or less	Ħ	300-1 500-1	400-34 800-2				
et above a la conduct establishe			Condi	2	투 타 단	8-dn 30 4-dn				
gs aro in fe n approach with thoso	Altitude of glide slope and dis	ond of	Middlo	6	1,885,					
L Cellifa re, unless a oriespond	Altitudo slopo	proach	Outer marker	8	2 660					
ne n feet, MS in procedu e(s) shall c	Mini	00 c v			2 700′					
Dearlng, headings, and courses are magnetle Distances are in statute miles whese otherwise hereing a processor of the conducted at the below immed alrport, it shall be made over specified routes Minimum altitude(s) shall conceed the procedure of the Administrator for Ofvil Agronauties for such alrbort. Initial approaches shall be made over specified routes. Minimum altitude(s) shall conceed to ofvil Agronauties for such alrbort. Initial approaches shall be made over specified routes. Minimum altitude(s) shall conceed to ofvil Agronauties for such alrbort. Initial approaches shall be made over specified routes. Minimum altitude(s) shall conceed to ofvil Agronauties for such alrbort. Initial approaches shall be made over specified routes.	Procedure turn (+-) side of final ap proach course, cout bound); alitudes; limiting distances			0	East side southeast	305 inbound Within 5 miles of	WO T			
	Transition to ILS	Minimm	aftitudes (ft)	ъ0	3,000	3 000	3 000,	3 000	3,000,	3,000,
		Course	and	4	163 4 0	30.0	125 5 0	323	252 10 0 0	3.0 3.0
			F I	8	LOM	LOM	LOM	LOM	rox	rox
magnetlo Distances are in statuto mi matucted at the bolow immed atrport, i onautics for such airport Initial appr			Егоп—		Blsmarck LFR	Driscoll—FM	Int W crs BIS and BE IL8 crs	Int. 82° crs. to DIS-VOR and 125° brg to LOM	Int. 296° crs. to BIS-VOR and 252° brg on LOM	Blomarck VOR
Bearing, headings, and courses are r If an ILS instrument approach is con ixed by the Administrator for Oivil Acres set forth below:	City and state; airport name, eleva			-	BISMAROK, N DAK Municipal	ils-nis Procedure No 1		•		

amended to read in part: The very high frequency omnirange procedures prescribed in § 609 15 are

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Cellings are in feet above alrivort elevation.
If a VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure unless an approach is conducted in accordance with a different procedure and accordance with a different procedure and a secondance with a different procedure and a secondance with a different procedure and a different procedure are a secondance or such altitude for such altitude for such altitude for such altitude in the particular area or as set forth below

					KULI	S AND K		
f visual contact not established at authorized land ing minimums after passing facility within dis tance specified or if landing not accomplished		If visual contact not established at authorized land ing minimums after passing facility within distance specified or if landing not accomplished		Within 33 miles, olimb to 3 600 on course of 300 within 25 miles	Within 9.6 miles, elimb to 2,600 within 25 miles make bolt turn and return to VOR Sir. OAUTION: Tank 1 636 MSL located 1 mile N of airport. Radio tower 1 572 MSL located 11% miles NW of airport. Radio tower 1 656 MSL located 1 mile E of airport.	Within 4.4 miles, clim bto 3,300 on 270 course from BIS-VOR within 35 miles. OAUTION: Radio (towers 1,800 and 1,765 2 miles N and ½ mile S, respectively of airport. Radio tower 2 413' 4 miles N and 8 miles E of LFR		
ninimums	Type aircraft	More than 75 m p h	10	300-1 800-1 800-1 800-2	300-1 600-2 800-2 800-2	300-1 500-13 800-1		
Celling and visibility minimums	Type a	76 m. p. h or less	6	\$00-1 500-1 500-1 800-2	300-1 600-2 800-2	300-1 800-1 800-2		
Celling an		Condition	8	T-dn C-dn A-dn	무 무 무 무 무 무 무 무 무 무 무 무 ተ ተ ተ ተ ተ ተ ተ ተ	A-dn A-dn		
	Jourse and distance, facility to alrport		Course and distance, facility to alrport		7	3300	223 9 6	271 4.4
Minimum	Minimum altitudo over facility on final approach course (ft.)		9	1,900	2 000,	2, 500		
Procedure turn (—) side of final approach course (out c bound and inbound); al titudes, limiting distances		ಭ	North side of course: 120 outbound 300 inbound 2 400' within 25 miles	North side of course: 043 outbound 223 inbound 2 600' within 25 miles	North side of course: 3 000° within 10 miles 3,500 within 25 miles 091 outbound 271 inbound			
	Minimum	<u> </u>	4	MEA 2,400'	MEA 2 600'	MEA 3,000'		
	Course A	аэпянсы	8	9065 3 0	8 8 8	2.0		
Initial approach to facility from—		Initial approach to facility from—		All directions—Aberdeen LFB	All directions—Alexandria LFR	All directions—Bismarck LFR		
Olty and state; alrpokt name, elevation; facility: class and identification; procedure No; effective date		1	ABERDEEN S DAK, Aberdeen 1300' BVOR-ABR Procedure No 1 Aug 16 1983	ALEXANDRIA, MINN Municipal 1,425' 1,425' BYOR-AXN Procedure No 1 Aug 16 1935	BISMAROK, N DAK Municipal 1,052 HVORBIS Procedure No 1 Aug 16 1053			

Ö Ω. 1007 as amended; 49 U These procedures shall become effective upon publication in the Feberal (Sec 205 52 Stat 984 as amended; 49 U S O 425 Interpret or apply sec 601 52 Stat

R Doc 53-7896; Filed Sept 14 1953; 8:45 a m]

B Lee Administrator of Civil Aeronautics

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651)

Part 617—Air Traffic Control Rules MISCELLANEOUS AMENDMENTS [Amdt 3]

as Part 617 for the purpose of implementing \$ 26 26 of this title They were published on April 21 1951, in 16 F. R 3460, and were amended on May 24 1952 in 17 F. R 4743 and on March 24 1953 in 18 F. R. 1652 and are amended heretower operators issue clearances to aircraft These revised rules should be made effective without delay in order to promote safety of the flying public. The amendment has been coordinated with with This amendment revises certain rules under which air traffic control interested persons through the Airspace Air traffic control rules were adopted

Committee Therefore compliance with the notice procedures and effective dates provisions of section 4 of the Administrative Procedure Act is impracti-1 Section 6177 (c) (1) is revised to Subcommittee of the Air Coordinating cable and unnecessary

§ 6177 Coordination between centers and towers * * * (c) Division of

aircraft until such aircraft have been cleared for approach and are in communication with the tower Not more (c) Division of control (1) The center shall retain control of arriving than one arrival shall be cleared for approach during IFR conditions

শ্ব છે 2. Section 617.25 (b) (7) (ii) revised to read:

(b) Standard phraseologies for traf-fic clearances * * * (7) § 617 25 Standard traffic clearances and phraseologies * * *

* * * (II)

(h) When it is desired that a taxing aircraft hold at a specific position the following phraseology will be used: Hold short of (position) ' or Hold on taxi strip

3 In § 61728 paragraphs (b) (c), (d), and (e) are redesignated paragraphs (d) (e), (b) and (c) respectively 4 Section 61729 (a) (4) is revised to

operations VFRwithin a control zone (a) * * * § 617.29 Special

or entering the traffic pattern of, an airport within a control zone when the ground visibility is less than 3 miles (4) Before landing on taking off from

Norn: The official weather observation for the airport about which the control zone is centered should be used to determine ground visibility 49 U S C 52 Stat (Sec 205 52 Stat 984 as amended; 49 U 425 Interpret or apply sec. 601 52 is 1007 as amended; 49 U S C 551)

tive upon publication in the Feberat This amendment shall become REGISTER

Sept 14 1953; Administrator of Civil Aeronautics 53-7961; Filed 8:46 a m.] E Doc [SEAL]

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TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[6th Gen. Rev. of Export Regs. Amdt. P. L. 55¹]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 Appendix A—Positive List of Commodities is amended in the following particulars:

1. The following commodities are deleted from the Positive List:

Dept. of Com- merce Schedule B No.	Commodity
	Chemical and pharmaceutical processing and manufacturing machines, n. e. e. and specially fabricated parts, n. e. e. (report spinning pumps in 750-50; report furnaces under appropriate Schedule B No. according to type of furnace, e. g., clertic melting and refining furnaces for the production of chemicals, 7674105
775055	After-treating equipment for filament rayon cake.
775055 775055	Steeping presses. Xanthation units (flotation churns).

¹ By this amendment the last entry on the Pesitive List under Schedule B No. 77,003 is revised to read as follows: "Other chemical and pharmaceutical processing and manufacturing machines, and specially abricated parts, n. e. e. except: after-treating equipment for filament rayon cake; steeping presses; and xanthation units (flotation churns)."

2. The following changes are made in commodity descriptions:

Dept. of Com- merce Schedule B No.	Commodity	Unit	Processing code and related commodity group	OLV dollar valus limits	Vall- dated lleensa required
500400	Coal-tar coke; coke dust of coal-tar origin; coke flour of coal-tar origin; and coke powder of coal-tar origin (report petroleum coke, including petroleum coke flour, in 504500).1	Short ton	COAL 1	100	RO

¹ The above entry is substituted for the entry presently on the Positive List under Schedule B No. 500(90. The effect of this revision is to delete all coke classified under this Schedule B number other than coal-tar coke, and coke dust, flour and powder of coal-tar origin.

This amendment shall become effective as of 12:01 a.m., September 3, 1953. (Sec. 3, 63 Stat. 7, as amended; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director
Office of International Trade.

[F. R. Doc. 53-7971; Filed, Sept. 14, 1953; 8:49 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes
[T. D. 6041, Regs. 111]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

MISCELLANEOUS CHANGES IN PROCEDURE IN CONNECTION WITH TRANSFER OF CERTAIN FUNCTIONS TO DISTRICT DIRECTORS OF INTERNAL REVENUE

Regulations 111 (26 CFR Part 29) are amended as follows:

Paragraph 1. Section 29.44-5 (relating to gain or loss upon disposition of installment obligations) as amended by Treasury Decision 5334, approved February 28, 1944, is further amended by inserting immediately after the second sentence of paragraph (d) thereof the following new sentence: "On and after September 1, 1953, the functions of the Commissioner with respect to such bonds shall be performed by the district direc-

tor of internal revenue for the internal revenue district in which the last return of the decedent is filed, and any bond filed on or after such date shall be filed with such district director."

Par. 2. Section 29.112 (b) (6)-3 (relating to liquidations covering more than one taxable year) is amended as follows:

(A) By striking from the first sentence of paragraph (b) thereof the words "for transmittal to the Commissioner"

(B) By striking the first sentence of paragraph (c) thereof and inserting in lieu thereof the following:

(c) For each of the taxable years which falls wholly or partly within the period of liquidation, the recipient corporation may be required to file a bond, the amount of which shall be fixed by the district director of internal revenue.

(C) By inserting at the end of paragraph (c) thereof the following sentence: "On and after September 1, 1953, the functions of the Commissioner with respect to such bonds shall be performed by the district director of internal revenue for the internal revenue district in which the return was filed, and any bond filed on or after such date shall be filed with such district director."

Par. 3. Section 29.112 (f)-3 (c) (relating to involuntary conversion where disposition of the converted property occurred after December 31, 1950) as added by Treasury Decision 5991, approved February 17, 1953, is hereby amended by striking that part of paragraph (c) which follows the first sentence and inserting in lieu thereof the following: "Such application shall be made prior to the expiration of the one year after the close of the first taxable

year in which any part of the gain from the conversion is realized, and shall contain all of the details in connection with the involuntary conversion. Such application, if made prior to September 1. 1953, shall be made to the Commissioner, or, if made on or after September 1, 1953, shall be made to the district director of internal revenue for the internal revenue district in which the return is filed for the first taxable year in which any of the gain from the involuntary conversion is realized. No extension of time shall be granted pursuant to such application unless the taxpayer can show reasonable cause for not being able to replace the converted property within the required period of time."

Pan. 4. Section 29.131–3 (relating to conditions of allowance of credit for taxes paid other than to the United States), as amended by Treasury Decision 5947, approved November 19, 1952, is further amended by inserting after the last sentence of paragraph (c) thereof the following new sentence: "On and after September 1, 1953, the functions of the Commissioner with respect to such bonds shall be performed by the district director of internal revenue, and any bond filed on or after such date shall be filed with the district director."

Because this Treasury decision merely changes the designation of the official with whom certain bonds and applications for extension must be filed, and relieves certain taxpayers from the requirement of filing bonds, it is found that it is unnecessary to issue such Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

(53 Stat. 467; 26 U.S. C. 3791)

[SEAL] T. COLEMAN ANDREWS, Commissioner of Internal Revenue.

Approved: September 9, 1953.

M. B. FOLSOM,
Acting Secretary of the Treasury.

[F. R. Doc. 53-7974; Filed, Sept. 14, 1953;
8:49 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I-Veterans' Administration

PART 3-VETERANS CLAILIS

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

MISCELLANEOUS AMENDMENTS

- 1. In Part 3, paragraph (f) of § 3.50 is amended to read as follows:
 - § 3.50 Proof of marriage. * * *
- (f) In jurisdictions where marriages other than by ceremony are recognized, the affidavits of one or both of the parties to the marriage, if living (provided that as to a claimant, a certified statement on VA Form 8-4138 shall be acceptable), supplemented by the affidavits of two or more witnesses who know that the parties lived together as husband and wife and were so recognized.

¹This amendment was published in Current Export Bulletin No. 713, dated September 3, 1953.

nized and who shall state how long in their knowledge such relation continued, and such other evidence as may be required by the laws of the particular State to establish a valid informal or common-law marriage.

2. In Part 4, paragraphs (b) and (c) (4) (i) of § 4.160 are amended to read as follows:

§ 4.160 Under section 12, Public Law 144. 78th Congress. * * *

(b) Returned and canceled checks.

(1) Where the payee died prior to May 29, 1953, a check received by the payee in payment of pension, compensation, or retirement pay shall, in the event of the death of the payee on or after the last day of the period covered by such check, become an asset of the estate of the deceased payee.

(2) Where the payee died on or after May 29, 1953, the provisions of paragraphs (a) and (c) of this section are applicable to the payment of the proceeds of any check received by a payee in payment of pension, compensation, or retirement pay where the payee died on or after the last day of the period covered by such check and the check is returned and canceled, as well as any amount recovered by reason of improper negotiation of such a check: Provided however That payment under this subparagraph may be made without regard to the date of filing claim, or retroactive period covered by the award, or the date of receipt of evidence required in connection with the claim for the proceeds of such check.

(c) Definitions. * * * (4) * * *

- (1) Notwithstanding § 3.30 (a) of this chapter, evidence including uncertified statements, which is essentially complete and of such weight as to establish service-connection or degree of disability for disease or injury when substantiated by other evidence in file at date of death or when considered in connection with the identifying, verifying, or corroborative effect of the death certificate.
- 3. In § 4.162 paragraphs (a) (2) (3) and (4) (b) and (d) are amended and a new paragraph (a) (6) is added as follows:
- § 4.162 Lump sums payable at death of veteran where award was reduced by reason of hospital treatment, institutional or domiciliary care by the Veterans' Administration.

(a) Basic entitlement. * * *

(2) If the decedent left no widow or widower, or the widow or widower be dead at the time of settlement, then in equal parts to the adult or minor children, including a child legally adopted, a step child, if a member of the veteran's household at the date of his death, and an illegitimate child whose relationship to the veteran is established under the conditions outlined in § 4.14 (c).

(3) If no widow, widower, or child survives at time of settlement, then in equal parts (or all to the survivor) to the natural or adoptive father and mother, including persons who stood in loco parentis to the veteran, subject to the conditions outlined in § 4.14 (d)

(4) If no widow, widower, child, 'father, or mother survives at time of settlement, then in equal parts to the veteran's brothers and sisters, including brothers and sisters of the half blood and brothers and sisters by adoption.

(6) A waiver of rights by a person having title to all or a share of the accrued lump sum will not serve to vest title in a person having equal or successor rights.

(b) Claim. No payment shall be made under this section unless claim therefor shall be filed with the Veterans' Administration within 5 years after the death of the veteran: Provided, That if any person so entitled be under legal disability at the time of the veteran's death, the 5-year period shall run from the date of termination or removal of the legal disability. Provided further That failure of a member of a joint class to file timely claim will not serve to increase the amounts otherwise payable to the other members of that class.

(d) Returned and canceled checks. Where the payee of a check which has been issued in payment of the accrued lump sum dies prior to settlement (i. e., prior to negotiating the check) and the check is returned and canceled, payment shall be made to the person or persons having the next lower preference as outlined in paragraph (a) of this section.

4. In § 4.165, a new paragraph (d) is added as follows:

§ 4.165 Accrued benefits payable to foreign beneficiaries. * * *

(d) The provisions of § 4.160 (b) are applicable to the payment of the proceeds of a check received by a payee in payment of pension, compensation, or retirement pay where the payee died on or after the last day of the period covered by such check and the check is returned and canceled, as well as any amount recovered by reason of improper negotiation of such a check.

5. New §§ 4.174 and 4.175 are added as follows:

§ 4.174 Rating for purpose of serucemen's indemnity. (a) As to persons specified in § 4.300 (b) (2) and (3) the death rating agency will determine whether disability (injury or disease) causing death was actually incurred during the designated period of time while en route to the place specified. The migury or disease must have been incurred during a period of time when the person was actually pursuing the objective of reaching the place specified without material deviation from the manner provided. Where the require-

ments for favorable action as specified in this section are met except that a question remains as to deviation, the dependents pension boards in district offices will make a recommendatory rating which will be forwarded to central office for review and final rating by the central dependents pension board, dependents and beneficiaries claims service.

(b) Aggravation per se of preexisting disability in the period designated and under the conditions specified is not a basis for favorable action and, specifically natural progress (usual or unusual) does not meet the requirements. This does not preclude consideration of actual aggravation, but for favorable action on that basis the intervening factors causing the aggravation of preexisting disability must in themselves have the status of incurrence in the period designated and under the conditions specified.

(c) Provisions of compensation laws relating to presumptions, line of duty, and willful misconduct are not in issue

under this section.

(d) A contributory cause as well as primary cause of death qualifies for consideration under this section. In determining contributory cause of death for the purposes of this section, the same principles will be employed as outlined in § 4.19.

§ 4.175 Rating for "RH" insurance purposes. (a) When an application under section 620, National Service Life Insurance Act of 1940, as amended, was pending at death and determination as to service-connection required thereunder was not made prior to death, such determination will be made by the death rating agency.

(b) The rating will determine as to each disability whether or not serviceconnection is established. The limitations of section 12, Public Law 144, 78th Congress, as amended, have no application for the purpose of this rating. The determination is not restricted to the period establishing basic eligibility under section 620, supra, but applies to all periods of service in the individual case. The criteria to be applied will be that applicable to the particular period or periods and circumstances of service as authorized for compensation purposes: Provided, That as to service comprehended by §§ 4.300 (b) (2) and (3) and 4.174, the conditions therein as to circumstances of incurrence of disability must be met and, in addition, there must be applied for the compensation criteria that would be applicable if such service were in fact active service.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective September 15, 1953.

[SEAL]

H. V STIRLING, Acting Administrator

[F. R. Doc. 53-7977; Filed, Sept. 14, 1953; 8:50 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEVADA

CLASSIFICATION ORDER

SEPTEMBER 4, 1953.

1. Pursuant to the authority delegated to me by the Regional Administrator, Region II, Bureau of Land Management, by Order No. 1, Amendment No. 2, dated January 29, 1953 (18 F R. 23) I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609) as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. 682a) as hereinafter indicated, the following described lands in the Nevada land district, embracing approximately 240 acres.

NEVADA SMALL TRACT CLASSIFICATION NO. 85

For-lease and sale for homesite purposes only, T. 22 S., R. 61 E., M. D. M.,

Sec. 29, W%NE%, SE%.

The land is situated in Clark County. Nevada, 12 miles south of the City of Las Vegas, Nevada. Las Vegas is one of the largest towns in the State of Nevada and has all of the usual facilities, such as schools, churches, hospitals, business establishments, etc. The land is adjacent to the main Las Vegas-Los Angeles highway. It is in an area famous for recreational activities, and the climate is considered ideal from a winter resort standpoint. Summer temperatures are quite high.

2. As to applications regularly filed prior to 11:00 a. m., May 26, 1952, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. This order shall not otherwise become effective to change the status of such lands until 10:00 a.m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to applications under the Small Tract Act

as follows:

(a) Ninety-one day period for preference-right filings. For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to application under the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U.S. C. 682a) as amended, by qualified veterans of World War II, subject to the requirements of applicable law. All applications filed under this paragraph either at or before 10:00 a.m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) Date for non-preference-right filings. Commencing at 10:00 a.m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to disposal under the Small Tract Act only. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered

m the order of filing.

4. A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their application by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

5. Lands in the W%E%SE% and WEE will be leased in tracts of approximately 2½ acres, each being approximately 330 by 330 feet. Lands in the E½E½SE¼ will be leased in tracts of approximately 2½ acres, each being approximately 165 by 660 feet, the longer dimension extending east and west. These tracts will be subject to a 200 foot State Highway right-of-way

along the east side.

6. Preference right leases referred to in paragraph 2 will be issued for the land described in the application only if the tract conforms to or is made to conform to the area and the dimension specified in paragraph 5. Preference right applicants will be given an opportunity to amend their applications to conform to the area and dimensions specified in this order, but such amendment may not include any lands not covered in the original application.

7. Leases will be for a period of three years at an annual rental of \$5.00 payable for the entire lease period in advance of the issue of the lease. Leases will contain an option to purchase clause at the appraised value of the several

parcels as follows:

Sec. 29: Per tract E1/2E1/2SE1/4 ______ 6250 w%e%se% _____ 175 W1/2E1/2 ---175

Application to purchase may be filed during the term of the lease but not more than 30 days prior to the expiration of one year from the date of the lease issuance.

8. Leases will be subject to all existing rights-of-way and to rights-of-way not exceeding 33 feet in width along or near the edges thereof for road purposes and public utilities. Such rights-of-way may be utilized by the Federal Government, or the State, County or municipality in which the tract is situated, or

by any agency thereof. The rights-ofway may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

9. All inquiries relating to these lands should be addressed to the Manager, Nevada Land and Survey Office, Reno,

Nevada.

E. I. ROWLAND. Regional Chief. Division of Lands.

[F. R. Doc. 53-7963; Filed, Sept. 14, 1953; 8:46 a. m.]

Office of the Secretary

[Order No. 2730]

DIRECTOR AND ACTING OFFICIALS, BUREAU OF LAND MANAGEMENT

DELEGATION OF POWERS AND FUNCTIONS

Section 1. Powers of Director. On and after August 30, 1953, the Director, Bureau of Land Management may exercise all the powers heretofore vested in Mr. Edward Woozley and exercised by him under the title "Administrator for Land Management"

SEC. 2. Acting Director. (a) The Associate Director shall perform the duties of the Director in case of the death, resignation, absence, or sickness of the Director.

(b) The Assistant Director shall perform the duties of the Director in case of the death, resignation, absence, or sickness of the Director and Associate Director.

(c) The Chief, Division of Administration shall perform the duties of the Director in case of the death, resignation, absence, or sickness of the Director, the Associate Director, and the Assistant Director.

SEC. 3. Acting Associate Director. (a) The Assistant Director shall perform the duties of the Associate Director in case of the death, resignation, absence, or sickness of the Associate Director.

(b) The Chief, Division of Administration shall perform the duties of the Associate Director in case of the death, resignation, absence, or sickness of the Associate Director and the Assistant Director.

Sec. 4. Acting Assistant Director. (a) The Chief, Division of Administration shall perform the duties of Assistant Director in case of the death, resignation, absence, or sickness of the Assistant Director.

SEC. 5. Title of "acting" officer. An officer acting under authority of sections 2, 3, and 4 of this order shall sign docu-ments as "Acting Director," "Acting As-sociate Director," or "Acting Assistant Director," as the case may be.

Sec. 6. Revocation. Orders Nos. 2780 (17 F. R. 7552, August 19, 1952) and

hereby revoked.

(5 U.S.C. 1946 edition, sec. 22a; Reorganization Plan No. 3 of 1950, 5 U. S. C. Supp.,

> DOUGLAS MCKAY, Secretary of the Interior.

SEPTEMBER 8, 1953.

[F. R. Doc. 53-7962; Filed, Sept. 14, 1953; - 8:46 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

CARRIERS COMPRISING FJELL LINE JOINT SERVICE

NOTICE OF, AGREEMENT FILED WITH BOARD FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended: 39 Stat. 733, 46 U.S.C. section 814.

Agreement No. 7763-3, between the Carriers Comprising Fjell Line Joint Service, modifies their joint service agreement (No. 7763) by extending the geographical scope of the agreement to include the trade between United States Atlantic and Gulf ports and ports of the United Kingdom, Iceland and the Continent of Europe. Agreement No. 7763 presently covers the trade between ports of the Great Lakes of the United States and Canada, the St. Lawrence River, Nova Scotia, New Brunswick and Newfoundland, on the one hand, and ports of the United Kingdom, Iceland and the continent of Europe, on the other hand.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to this agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired. -

Dated: September 10, 1953.

By order of the Federal Maritime Board.

[SEAL]

A. J. WILLIAMS, Secretary.

[F. R. Doc. 53-7978; Filed, Sept. 14, 1953; 8:51 a. m.]

TRANS-PACIFIC FREIGHT CONFERENCE OF-.TAPAN

NOTICE OF ESTABLISHMENT OF CON-TRACT/NON-CONTRACT RATES

Notice is hereby given that on September 10, 1953, the Trans-Pacific Freight Conference of Japan filed with the Federal Maritime Board pursuant to § 236.3 of General Order 76 a statement containing a proposal to establish contract/non-contract rates 30 days after the date of such filing on all cargoes transported by the conference lines in the trace from Japan, Korea, and

2720 (18 F R. 2674, May 8, 1953) are Okınawa to Hawaii and Pacific Coast ports of the United States and Canada with the spread or differential of 91/2 percent between such contract/non-contract rates. The statement alleges that the establishment of the dual rate system will eliminate and effectively prevent a recurrence of the unstable and disastrous conditions now existing in the Conference Trade and contains information with respect to the reasons for use of contract/non-contract rates and the basis for the spread or differential between such rates.

Interested parties may inspect the information contained in such statement, and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the information filed and any objections or other comment thereon, together with request for hearing should such hearing be desired.

Dated: September 10, 1953.

By order of the Federal Maritime Board.

[SEAL]

A. J. WILLIAMS, Secretary.

JF. R. Doc. 53-7979; Filed, Sept. 14, 1953; 8: 51 a. m.]

Federal Maritime Board and Maritime Administration

ORGANIZATION AND FUNCTIONS

The statement of organization and functions of the Federal Maritime Board and Maritime Administration issued in 16 F. R. 3667, as amended in 17 F. R. 7910 and 18 F. R. 2889, is hereby revoked and the following substituted therefor:

1. Establishment. The Federal Maritime Board and the Maritime Administration were established in the Department of Commerce by Reorganization Plan No. 21 of 1950, effective May 24, 1950. In performance of their functions the Federal Maritime Board and the Maritime Administration are guided by the broad declaration of policy stated in Title I of the Merchant Marine Act, 1936 (49 Stat. 1985) as follows:

It is necessary for the national defense and development of its foreign and domestic commerce that the United States shall have a merchant marine (a) sufficient to carry its domestic water-borne commerce and a substantial portion of the water-borne export and import foreign commerce of the United States and to provide shipping service on all routes essential for maintaining the flow of such domestic and foreign water-borne commerce at all times, (b) capable of serving as a naval and military auxiliary in time of war or national emergency, (c) owned and operated under the United States flag by citizens of the United States insofar as may be practicable, and (d) composed of the best-equipped, safest, and most suitable types of vessels, constructed in the United States and manned with a trained and effi-cient citizen personnel. It is hereby declared to be the policy of the United States to foster the development and encourage the maintenance of such a merchant marine.

2. Organization of the Federal Maritime Board—(a) Composition of the

Federal Maritime Board. The Federal Maritime Board is composed of three members appointed by the President by and with the advice and consent of the Senate. The President designates one of the members to serve as Chairman of the Federal Maritime Board. The Chairman serves as the chief executive and administrative officer of the Federal Maritime Board.

(b) Quorum. Any two members in office constitute a quorum for the transaction of the business of the Federal Maritime Board, and the affirmative votes of any two members are sufficient for the disposition of any matter which may come before the Federal Maritime Board.

(c) Organization components. Federal Maritime Board has the following organizational components: (1) Office of the Chairman of the Federal Maritime Board; (2) Offices of the Members of the Federal Maritime Board; (3) Secretary's Office; (4) Regulation Office; (5) Hearing Examiners' Office; and (6) the General Counsel.

(d) Use of officers and employees of the Maritime Administration. Insofar as he deems desirable, the Chairman of the Federal Maritime Board makes uso of the officers and employees of the Maritime Administration to perform activities for the Federal Maritimo Board.

3. Functions of the Federal Maritime Board—(a) Regulatory functions. Under Reorganization Plan No. 21 of 1950 the Federal Maritime Board is independent of the Secretary of Commerce in the performance of the following functions: (1) All functions under the provisions of sections 14 to 20, inclusive, and sections 22 to 33, inclusive, of the Shipping Act, 1916, as amended, which functions relate to the regulation and control of rates, services, practices, and agreements of common carriers by water and of other persons:

(2) All functions with respect to the regulation and control of rates, fares, charges, classifications, tariffs, regulations, and practices of common carriers by water under the provisions of the Intercoastal Shipping Act, 1933, as amended:

(3) The functions with respect to the making of rules and regulations affecting shipping in the foreign trade to adjust or meet conditions unfavorable to such shipping, and with respect to the approval, suspension, modification, or annulment of rules or regulations of other Federal agencies affecting shipping in the foreign trade, under the provisions of section 19 of the Merchant Marine Act. 1920, as amended, exclusive of subsection (1) (a) thereof:

(4) The functions with respect to investigating discriminatory rates, charges, classifications, and practices in the foreign trade, and with respect to recommending legislation to correct such discrimination, under the provisions of section 212 (e) of the Merchant Marino Act, 1936; and

(5) So much of the functions with respect to requiring the filing of reports, accounts, records, rates, charges, and memoranda, under the provisions of sec-

tion 21 of the Shipping Act, 1916, as amended, as relates to its functions under items 1 through 4 above.

(b) Subsidy contracts. Under Reorganization Plan No. 21 of 1950 the Federal Maritime Board is guided by the general policies of the Secretary of Commerce in performing the following functions: (1) The functions with respect to making, amending, and terminating construction (reconstruction or reconditioning) differential subsidy contracts, including contracts for the construction, reconstruction, or reconditioning of ships and contracts for the sale of ships to subsidy applicants or contracts to pay a differential subsidy and the cost of national defense features. In the exercise of this function the Federal Maritime Board investigates and determines the relative cost of construction of comparable ships in the United States and foreign countries and the extent and character of aids and subsidies granted by foreign governments to their merchant marines:

(2) The functions with respect to making, amending, and terminating operating differential subsidy contracts. and subsequent to entering into an operating differential subsidy contract, making determinations with respect to employment and wage conditions, and taking action on readjustment of operating cost differentials and the sale assignment or transfer of the contract. In the exercise of this function the Federal Maritime Board investigates and determines the relative cost of operating ships under the registry of the United States and under foreign registry, and the extent and character of aids and subsidies granted by foreign governments to their merchant marines;

(3) The functions with respect to investigating and reporting on relative construction and operating costs in the United States and foreign maritime countries, and the relative advantages of operating under United States or foreign registry, and on marine insurance, navigation laws, and ship mortgages as authorized under section 12 of the Shipping Act, 1916; and

(4) The functions with respect to requiring the filing of reports, accounts, records, rates, charges and memoranda as relates to its functions as set forth in items 1, 2, and 3, above.

(c) Charters under the Merchant Ship Sales Act, 1946, as amended by Public Law 591, 81st Congress. The Federal Maritime Board makes determinations, after public hearings, as to whether the bareboat charter of warbuilt dry-cargo ships owned by the United States is required in the public interest in any service then not adequately served and for which privately owned American-flag ships are not available for charter by private operators on reasonable conditions and rates, and certifies its findings to the Secretary of Commerce (Maritime Administrator) together with any restrictions and conditions which it determines to be necessary or appropriate to protect the public interest in respect to such charters and to protect privately owned ships against competition from Government ships chartered by the Secretary of

Commerce (Maritime Administrator) All such charters are reviewed annually by the Federal Maritime Board for the purpose of making recommendations to the Secretary of Commerce (Maritime Administrator) as to whether conditions exist justifying the continuance of the charters.

(d) War risk insurance. Pursuant to Public Law 763, 81st Congress, the Federal Maritime Board makes determinations of the fair and reasonable value of ships insured under the provisions of Title XII of the Merchant Marine Act. 1936, as amended.

(e) In carrying out its functions under paragraphs (a) (b) (c) and (d) above, the Federal Maritime Board adopts rules and regulations; makes reports and recommendations to Congress. subpoenas witnesses; administers oaths: takes evidence: requires the production of books, papers and documents as necessary ussues opinions; promulgates orders; engages in enforcement and other legal proceedings; and performs all functions formerly performable by the Maritime Commission, which have been transferred to the Federal Maritime Board pursuant to Reorganization Plan No. 21 of 1950.

(f) Functions of organizational components. (1) The Office of the Chairman of the Federal Maritime Board executes and administers the activities of the Federal Maritime Board;

(2) The Offices of the Members of the Federal Maritime Board are responsible for rendering assistance as may be required on matters being handled by the Federal Maritime Board;

(3) The Secretary's Office is responsible for receiving documents required to be filed with the Federal Maritime Board and the Maritime Administration; preparing dockets and maintaining records of meetings; and issuing orders and notices of actions;

(4) The Regulation Office is responsible for examining and maintaining a record of tariffs of offshore carriers and terminal operators and agreements under the Shipping Act, 1916; processing informal complaints of violations of shipping laws; registering and reviewmg practices of forwarders; and recommending with respect to rules and regulations affecting shipping;

(5) The Hearing Examiners' Office is responsible for conducting hearings under the Administrative Procedure Act and shipping statutes arising from formal complaints or investigations alleging unlawful shipping practices; applications for operating-differential subsidy establishment of minimum wages, etc., and applications for charters under Public Law 591, 81st Congress; bas

(6) The General Counsel.

4. Organization of the Maritime Administration—(a) Maritime Administra-The Chairman of the Federal Maritime Board is ex officio the Maritime Administrator. When serving as Maritime Administrator, he reports and is responsible to the Secretary of Commerce, through the Under Secretary of Commerce for Transportation, and will be guided by the Secretary's policies.

(b) Deputy Maritime Administrator. The Maritime Administrator is assisted in his duties by a Deputy Maritime Administrator, who is the Acting Maritime Administrator during the absence or disability of the Maritime Administrator and, unless the Secretary of Commerce designates another person, during a vacancy in the office of the Maritime Administrator. The Deputy Maritime Administrator is appointed by the Secretary of Commerce, after consultation with the Maritime Administrator. The Deputy Maritime Administrator at no time sits as a member of the Federal Maritime Board.

(c) Organizational components. Maritime Administration has the following organizational components; (1) Office of the Maritime Administrator: (2) Office of the General Counsel; (3) Office of the Comptroller; (4) Program Planning Office; (5) Public Information Office; (6) Statistics and Special Studies Office; (7) Budget Office; (8) Organization and Methods Office; (9) Personnel Office; (10) Office of Maritime Training; (11) Office of Ship Construction; (12) Office of Property and Supply. (13) Office of National Shipping Authority and Government Aid; and (14) Offices of the Coast Directors.

(d) Use of officers and employees of the Federal Maritime Board. Insofar as he deems desirable, the Maritime Administrator makes use of officers and employees of the Federal Maritime Board under his supervision as Chairman to perform activities for the Maritime Administration.

5. Functions of the Maritime Administrator-(a) General. The Maritime Administrator is responsible for: (1) Performing activities for the Federal Maritime Board as determined desirable by the Federal Maritime Board;

(2) Exercising the powers and authorities, which powers and authorities are hereby delegated, and performing the functions, vested in the Secretary of Commerce by (i) Section 204 of Reorganization Plan No. 21 of 1950 (other than the authority to establish general policies for the guidance of the Federal Maritime Board in exercising its functions under section 105) and by the statutes referred to in Reorganization Plan No. 21, including amendments to such statutes; (ii) Public Law 591, 81st Congress, 2d Session, which authorizes the chartering of passenger and warbuilt dry-cargo ships; (iii) Public Law 763, 81st Congress, 2d Session, which authorizes government war risk insurance of merchant ships, except that the authority "to find that insurance adequate to the needs of the water-borne commerce of the United States cannot be obtained on reasonable terms and conditions in companies authorized to do an insurance business in a State of the United States" is reserved to the Secretary of Commerce; and (iv) Public Law 911, 81st Congress, 2d Session, which authorizes the construction of merchant ships when required for national security.

(3) Performing the functions and exercising the powers and authorities vested in the Secretary of Commerce by Executive Order 10480, Executive Order

10219 as amended, and any present or subsequent delegations or implementing order under mobilization statutes, with respect to intercoastal, coastwise, and overseas shipping, including the use thereof, and delegated to the Under Secretary of Commerce for Transportation and redelegated to the Maritime Administrator: and

(4) Representing the United States in dealing with shipping agencies of allied and associated governments in matters related to the use of shipping, acting within the framework of the national policy and under the guidance of the Department of State on matters of foreign policy and relations (Executive Order 10219)

(b) Specific functions of organizational components. (1) The Office of the Maritime Administrator directs the activities of the Maritime Administration and includes personnel who render security services for the Maritime Administration, and includes the Division of Claims;

(2) The Office of the General Counsel, under the general policy guidance of the General Counsel, Department of Commerce, serves as the law office, renders legal advice and opinions, and provides representation in pertinent litigation. The Office of the General Counsel has the following divisions: Division of Contracts, Division of Legislation, and Division of Litigation;

(3) The Office of the Comptroller is responsible for the accounting, auditing, and insurance activities. The Office of the Comptroller has the following divisions: Division of Accounts, Division of Audits, Division of Insurance, and Division of Credits and Collections:

(4) The Program Planning Office, develops and recommends long-range merchant marine policy and programs, considers existing policies and programs in the light of adopted long-range policy, and provides interdepartmental and international liaison in accordance with Department policy.

(5) The Public Information Office issues or clears for issuance all information for the general public concerning decisions and activities and merchant marine data, and prepares periodic and special reports as assigned;

(6) The Statistics and Special Studies Office is responsible for all statistical and economic studies on shipping, including the collection of data for operating subsidy calculations;

(7) The Budget Office develops and presents budgetary requests and justifications and allots and maintains budgetary control of appropriated funds;

(8) The Organization and Methods Office conducts studies of management, organization, functions, authorities, procedures, and methods; in connection therewith prepares and maintains the manual of orders; provides clearance of the use of forms, graphics, and reports; coordinates the management improvement program; and prepares periodic activity reports to the Secretary of Commerce and to Congress;

(9) The Personnel Office administers the personnel functions related to employment and position classification, including recruitment, placement separations, disciplinary actions, counseling and grievance appeal services, training and safety programs, and wage rate studies;

(10) The Office of Maritime Training is responsible for developing, coordinating, and maintaining programs of seamen services and training of merchant marine personnel; and administering a medical and health program. The Office of Maritime Training has the following divisions: Division of Cadet Corps Training, Division of Maritime Service Training, and Division of State Maritime Academies;

(11) The Office of Ship Construction is responsible for the conduct of activities relating to ship design and construction; collecting, analyzing, and evaluating United States and foreign ship construction costs; and rendering technical direction to the Office of National Shipping Authority and Government Aid with respect to reconversion, betterment, and reconditioning of Maritime Administration-owned ships. The Office of Ship Construction has the following divisions: Division of Preliminary Design, Division of Estimates, and Division of Technical Development; and contains the Trial and Guarantee Survey Boards:

(12) The Office of Property and Supply is responsible for the procurement and disposal of real and personal property; the disposal of ships; the maintenance or operation of warehouses, marine terminals, and reserve shipyards; port development; and the rendering of office services. The Office of Property and Supply has the following divisions: Division of Purchase and Sales, Division of Ports and Facilities, and Division of Office Services;

(13) The Office of National Shipping Authority and Government Aid is responsible for the conduct of activities relating to requirements for and allocation of oceangoing merchant shipping; charter, operation, repair, and reconversion of Maritime Administration-owned or\acquired merchant ships; maintenance of reserve, fleets; recommendations for purchase, charter in, or requisition of merchant ships for government use; processing applications for subsidy or other government aid; and administering government aid contracts after their execution; and coordinating the work of other organizational components in connection therewith. The Office of National Shipping Authority and Government Aid has, under a Deputy Director for Ship Operations, the following divisions: Division of Operation, Division of Ship Repair and Maintenance, and Division of Ship Custody and, under a Deputy Director for Government Aid, the following divisions: Division of Operating Costs and Contracts, Division of Trade Routes, and Division of Charters and Traffic; and

(14) The Offices of the Atlantic, Gulf, and Pacific Coast Directors are responsible for all field offices and programs on their respective coasts, subject to

national policies and program determinations, standard procedures, and technical direction of the appropriate office chief in Washington, D. C.

6. Extent of delegations of admintrative authority. The Maritime Administration shall operate as a primary organization unit of the Department of Commerce. The authority delegated by this order shall be exercised in accordance with the limitations and conditions placed on and authorities granted to primary organization units and unit heads in orders, instructions and directives of the Department of Commerce, including those set forth in the Department of Commerce Manual of Orders and including any specifically directed to the Maritime Administrator.

7. Power to redelegate. The Maritime Administrator is hereby granted the power and authority to redelegate the authority delegated herein, and to prescribe necessary limitations, restrictions, and conditions on the exercise of such authority.

8. Confirmation of previous delegations and actions. (a) All previous delegations of authority made by competent authority and in effect immediately prior to the effective date of this order, shall remain in full force and effect until superseded or revoked by action of the Secretary of Commerce or the Maritime Administrator.

(b) Every regulation or other action which was made, prescribed, issued, granted or performed in respect of or by the United States Maritime Commission and which was in effect immediately prior to the effective date of this order is hereby adopted and confirmed and shall remain in full force and effect, except to the extent inconsistent with said Reorganization Plan No. 21 or this order, until superseded, amended, or revoked under appropriate authority.

(c) All orders, regulations, rulings, certificates, directives, and other actions heretofore issued or taken under Department Order No. 128 (Amended) and amendments and supplements thereto and in effect immediately prior to the effective date of this order shall remain in full force and effect until hereafter suspended, amended, or revoked under appropriate authority.

9. Filing of applications and other formal documents. All applications and other formal documents required to be filed with either the Federal Maritime Board or the Maritime Administration shall be filed with the Secretary's Office, Federal Maritime Board.

10. Reports to the Congress or the President. All reports and other submissions required by law to be made to the Congress or the President of the United States in connection with the functions of the Secretary of Commerce which have been delegated to the Maritime Administrator shall be prepared for the signature of, and submitted by, the Secretary of Commerce.

11. Effect on other orders. Any references, in other orders or delegations, to the Director, National Shipping Authority, are hereby deemed to apply to the Director, Office of National Shipping

Authority and Government Aid, effective with the date of this order.

(5 U. S. C. 22; R. S. 161; and Reorganization Plan No. 21 of 1950)

This notice is effective September 3, 1953.

ROBERT B. MURRAY, JR., Acting Secretary of Commerce.

The statements of organization and functions of the Federal Maritime Board contained in the foregoing have been adopted by the Federal Maritime Board.

[SEAL] LOUIS S. ROTHSCHILD, Chairman, Federal Maritime Board.

[F. R. Doc. 53-7973; Filed, Sept. 14, 1953; 8:49 a. m.]

Office of International Trade

[Case No. 162]

JOACHIM WILHELM KRUGEL ET AL.

ORDER REVOKING LICENSES AND DENYING EXPORT PRIVILEGES

In the matter of Joachim Wilhelm Krugel, individually and trading under the name and style of A. Ripley & Co., 201 Sutherland Avenue, London W. 9, England; Oscar Brunoni, Bahnhofstrasse 14, Zurich, Switzerland, respondents; Case No. 162.

This proceeding was commenced by the transmission of a charging letter issued to the above-named respondents by the Director of the Investigation Staff of the Office of International Trade under date of January 2, 1953, wherein said respondents were charged with knowingly concealing material facts and making knowingly false representations to a United States supplier, and through such supplier to United States authorities, in order to facilitate the exportation from the United States of a quantity of tantalum wire and sheets valued at \$18,-000, ostensibly to Switzerland, but with the intention of diverting said tantalum, and, in fact, actually diverting same or causing same to be diverted to Russia in March 1950, and thus with having violated the Export Control Act of 1949 and the regulations issued thereunder. Additional charges addressed to respondent Krugel exclusively were also contained in said charging letter, but such charges have been dismissed.

In accordance with the terms of said charging letter, the validated export license privileges of said respondents have been temporarily suspended pending the completion of this proceeding.

After receiving the said charging letter respondent Brunoni submitted his answer and supplemental answer to the charges, by and through his counsel, with the request that said answer as supplemented be presented to the Compliance Commissioner in lieu of his appearance at a hearing. Respondent Krugel did not answer the charges, however, or ask for an oral hearing or in any manner indicate his intention to contest the charges. Under the circumstances, and in accordance with the regulations, respondent Krugel and his self-owned company, A. Ripley & Co., were deemed to be in default.

A hearing on notice was duly held before the Compliance Commissioner at Washington, D. C., on June 3, 1953, the Investigation Staff of the Office of International Trade being represented by counsel, but neither of the cited respondents appeared in person or by counsel. The above-mentioned Brunoni answer, as supplemented, was presented to the Compliance Commissioner by counsel for the Government, and the Government likewise presented its evidence in support of the charges. Respondent Krugel's default in this proceeding was duly noted on the record. The Compliance Commissioner received the aforesaid answer and supplemental answer and the Government's evidence, and after due consideration thereof and of the entire record, filed his report in the matter.

It appears from the record and the report of the Compliance Commissioner that respondent Krugel, trading under the name and style of A. Ripley & Co., at all times relevant to the charges herein was, and still is, engaged in the import-export business in London, England, and that respondent Brunoni was, and is, engaged in the insurance and ocean shipping business in Zurich, Switzerland.

It appears further that in or about March 1949 respondent Krugel held an order for tantalum wire and sheet from a customer in Russia and had unsuccessfully applied to the British authorities for an import license and dollar exchange certificate for the proposed importation of tantalum from the United States and its re-export to Russia, such license and certificate being a requisite in his pending negotiations with the American supplier from whom he concealed the intended re-export to Russia, however. In June 1949, Krugel placed an order with the United States supplier for tantalum wire and sheet having a value in excess of \$18,000, informing such supplier that because of "currency difficulties" he had nominated a Swiss firm to finalize the order and open a letter of credit from Switzerland. In July 1949, the Swiss firm so nominated was eliminated from the transaction by Krugel and was replaced by Brunoni with whom Krugel had entered into a written agreement under which Brunoni's responsibilities in the subject transaction were defined.

Late in August, following the estab-lishment of a letter of credit with a Zurich bank in his favor by Krugel's Russian customer, Brunoni became aware for the first time that the subject tantalum was destined ultimately for Russia. In the meantime the American supplier had applied to the Office of International Trade and obtained an export license authorizing the shipment to Brunoni as the ultimate consignee and Switzerland as country of ultimate destination, on instructions from Krugel. Although aware in October that the United States supplier held such export license, Brunoni nevertheless placed thereafter an order with the supplier and established a letter of credit in New York in its favor and issued shipping instructions requiring the material to be shipped to Antwerp, Belgium, on order bills of lading, without disclosing the

intention to re-export the material from Antwerp to U.S.S.R.

The subject tantalum was exported from the United States on March 4, 1950, arriving at Antwerp on March 14. There it was transferred to another vessel and transshipped to Russia on March 22. The instructions to divert and transship the material and the shipping documents required to effectuate such transshipment were furnished by and through Krugel and his Russian customer and at their direction, and Brunoni abetted such diversion although not participating in the reshipment instructions.

In his report the Compliance Commissioner has made the finding that Krugel knowingly and falsely represented to the American supplier, and through it to the United States authorities, that the subject tantalum was intended for Brunom in Switzerland as the consignee and ultimate destination, and that Brunom acquiesced in and adopted said representations; and that both respondents knowingly concealed the true ultimate destination, and the true ultimate consignee for the purpose of facilitating the exportation from the United States, and diverted and transshipped the subject tantalum, or caused it to be transshipped, to Russia, all in violation of the export law and regulations.

The Compliance Commissioner has pointed out that in connection with the other charges against Krugel (dismissed for technical rather than substantive reasons) Krugel made false representations to other United States suppliers in contemporaneous transactions to induce and effect exportations from the United States and concealed from them his intention to re-export the materials involved to USSR, and in one such transaction had nominated a Swiss firm to act therein in the same manner as Brunoni had acted in the subject transaction. The Compliance Commissioner has concluded that by such actions and by the wilful acts in the subject violations Krugel has demonstrated his untrustworthiness in matters relating to exports from the United States and that he has shown a predilection for opportunism which renders him unfit to be a

trusted recipient of export privileges.

The Compliance Commissioner has also pointed out that Brunoni's action in perpetuating the false representations made to the United States supplier by Krugel, and his adoption of such representations by his silence, as well as the concealment of the USSR destination, all at a time when he knew that the United States export license authorized the shipment to Switzerland only, showed a disregard for United States export law and regulations. He has concluded that Brunoni too has likewise forfeited continued trust in export matters.

In considering his recommendations for administrative action against the respondents, the Compliance Commissioner has given weight to such mitigating factors as the prior good record of the

respondents, their suspension from validated license privileges since the issuance of the charging letter on January 2. 1953, and the fact that the instant

violations occured in 1949 and early 1950 when international relations were not then as tense as they are today and commodities to USSR were being licensed.

He has recommended that respondent Brunoni be denied all export privileges for a period of eighteen months and that respondent Krugel and his company be denied all export privileges until June 30, 1956, or the expiration of export controls, whichever occurs earlier, as the latter has shown that he is deserving of more disciplinary action because of his abortive attempts to influence exportations by improper means in other contemporaneous transactions, as shown.

The report of the Compliance Commissioner, the findings and recom-mendations contained therein, the evidence, and respondent Brunoni's answer and supplemental answer to the charges, as well as the entire record in this matter, have been carefully considered, and it appears therefrom that such findings are in accordance with the evidence and that such recommendations are reasonable and should be adopted.

Now, therefore, it is ordered as follows:

- (1) All outstanding validated export licenses held by or issued in the names of Oscar Brunoni, Joachim Wilhelm Krugel, individually and as A. Ripley & Co., or any of them, or in which they appear or participate as purchaser, intermediate or ultimate consignee, or otherwise, are hereby revoked and shall be forthwith returned to the Office of International Trade for cancellation.
- (2) Respondents Oscar Brunoni, Joachim Wilhelm Krugel, individually and as A. Ripley & Co., and each of them, are hereby demed and declared ineligible to exercise the privileges of participating directly or indirectly in any manner or capacity in the exportation of any commodity from the United States to any foreign destination, including Canada, as to respondent Oscar Brunoni, for a period of eighteen (18) months from the date hereof, and as to respondent Joachim Wilhelm Krugel, ındividually and as A. Ripley & Co., for the period until June 30, 1956, or the expiration of export controls, whichever occurs earlier, from the date hereof. Without limitation of the generality of the foregoing, participation in an exportation shall be deemed to include and prohibit respondents' participation (a) in the filing of any validated export license application. (b) in the obtaining or using of any validated or general export license or other export control document, (c) in the receiving in any foreign country of any exportation from the United States, (d) in the financing, forwarding, transporting, or other servicing of exports from the United States.
- (3) Such denial of export privileges shall extend not only to respondents Oscar Brunoni, Joachim Wilhelm Krugel, individually and as A. Ripley & Co., and each of them, but also to any person, firm, corporation, or other business organization with which they, or any of them, may be now or hereafter related by ownership, control, position of responsibility, or other connection in the

conduct of trade involving exports from the United States or services connected therewith.

(4) No person, firm, corporation, or other business organization shall knowingly apply for, obtain, or use, any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation from the United States under validated and general export licenses, or otherwise, or finance, service, transport, forward, or receive any commodities thereunder, to or for the named respondents, or any of them, or any person, firm, corporation, or other business organization covered by paragraph (3) above, without prior disclosure of such facts to, and specific authorization from, the Office of International Trade.

Dated: September 10, 1953.

JOHN C. BORTON, Assistant Director for Export Supply.

[F. R. Doc. 53-7972; Filed, Sept. 14, 1953; 8:49 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 5988 et al.]

OZARK AIR LINES INC., CERTIFICATE RENEWAL CASE

NOTICE OF HEARING

In the matter of the application of Ozark Air Lines, Inc., for renewal and/ or extension of its certificate of public convenience and necessity for route No. 107.

Pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, notice is hereby given that a hearing in the above-entitled proceéding is assigned to be held on September 28, 1953,, at 10:00 a. m. c. s. t. m Room 800, Chamber of Commerce Building, 511 Locust Street, St. Louis, Missouri, before Examiner James S. Keith.

Without limiting the scope of the issues presented in said proceeding, particular attention will be directed to the following matters and questions:

1. Do the public convenience and necessity require:

(a) Renewal of the temporary certificate of public convenience and necessity for route No. 107 issued to Ozark Air Lines, Inc., with certain modifications and additions including the terms and conditions of such renewal as well as the possible suspension and elimination of stations:

(b) Amendment of Ozark's certificate for route No. 107 so as to establish routes (1) between Kansas City, Mo., and St. Louis, Mo., via Columbia and Jefferson City, Mo., (2) between Chicago, Ill., and Indianapolis, Ind., via Danville, Ill., and Terre Haute and Bloomington, Ind., (3) between Paducah, Ky., and Nashville, Tenn., via Camp Campbell, Ky., (4) between Kansas City, Mo., and Chicago, Ill., via Columbia, Mo., Hannibal/Quincy, Springfield, and Peoria, Ill., (5) between St. Louis, Mo., and Wichita, Kans., via Springfield and Joplin, Mo., and Pittsburg and Chanute, Kans., (6) between St. Louis, Mo., and Des Moines, Iowa, via Quincy, Ill:. Keokuk, Iowa, Burlington,

Iowa, and Ottumwa, Iowa; (7) between Rockford, Ill., and Milwaukee, Wis., (8) between Memphis, Tenn., and Louisville, Ky., via Jackson, Tenn., Paducah and Owensboro, Ky., (9) between St. Louis, Mo., and Tulsa, Okla., via Columbia, Springfield, Joplin, Mo., and Miami, Okla., and (10) between Moline and Chicago, Ill., via Clinton, Iowa, and Rockford, Ill.,

(c) The establishment of a route between Kansas City and St. Louis via Columbia/Jefferson City, Mo., to be oper-

ated by BACA Airlines:

(d) Amendment of the certificate of Lake Central Airlines, Inc., for route No. 88 so as to establish a route between Indianapolis, Ind., and Chicago, Ill., via Bloomington and Terre Haute, Ind.,

Danville, Ill., and Gary, Ind.,
(e) Amendment of the certificate of Central Airlines, Inc., for route No. 81 so as to establish routes (1) between the terminal point St. Louis, Mo., the intermediate points Columbia/Jefferson City, Springfield and Joplin, Mo., and (a) boyond Joplin, Mo., to the intermediate point Miami, Okla., and the terminal point Tulsa, Okla., and (b) beyond Jop-lin, Mo., to the intermediate points Pittsburg and Chanute, Kans., and the terminal point Wichita, Kans., (2) between St. Louis, Mo., and Kansas City, Mo., via the intermediate points Jefferson City/Columbia, Mo.,

(f) Amendment of Ozark's certificate for route No. 107 so as to add Pittsburg. Kans., and Joplin, Mo., on segment 7 or should Ozark's authority to provide service over segment 7 be permitted to expire: if the latter, should the temporary certificate held by Central Airlines, Inc., for route No. 81 be amended so as to authorize service between Bartlesville, Okla., and Kansas City, Mo., via the intermediate points Joplin, Mo., Coffeyville, Chanute, Emporia, and Topeka, Kans., or should Braniff Airways or Continental Air Lines, Inc., be required to serve Bartlesville, Okla., Joplin, Mo., Coffeyville, Pittsburg, Chanute, Emporia, and Topeka, Kans., on their routes between Tulsa, Okla., and Kansas City, Mo.,

(g) Service by Ozark Air Lines, Inc., to Bloomington, Ind., as intermediate point between St. Louis, Mo., and Indianapolis, Ind., on route No. 107, and direct air service from Quincy, Ill., to Indianapolis and points east;

(h) Local air service to various communities in Illinois as proposed by various joint applicants in Docket No. 4888 or as proposed by the joint petitioners for leave to intervene in said docket;

(i) Air service to Mayfield, Ky., as an intemediate point between Paducah and Memphis;

- (j) Amendment of the certificate of Chicago and Southern Air Lines, Inc., for route No. 8 so as to eliminato Terro Haute, Ind., as an intermediate point and to abandon service to such point; and amendment of the certificate of Trans World Airlines, Inc., for routo No. 2 so as to eliminate Hannibal, Mo.,/Quincy, Ill., as an intermediate point thereon;
- (k) The temporary suspension of the services of Braniff Airways, Inc., at Joplin on route No. 26, at Burlington,

Iowa, and Topeka, Kans., on route No. 9, at Jefferson City, Mo., on route No. 26 and at Ottumwa, Iowa, and Quincy, Ill., on route No. 48; the temporary suspension of the services of American Airlines, Inc., for route No. 4, at Peoria and Springfield, Ill., the temporary suspension of the services of Eastern Air Lines, Inc., for route No. 47 at Owensboro, Ky., and the temporary suspension of the services of Continental Air Lines, Inc., for route No. 29, of Central Airlines, Inc., for route No. 81 and/or Ozark Air Lines, Inc., for route No. 107 at Bartlesville, Okla.,

2. Is Ozark Air Lines, Inc. fit, willing and able to provide the service over route No. 107 found to be required by the public convenience and necessity?

3. Are BACA Airlines, Braniff Airways, Central Airlines, Continental Air Lines and Lake Central Airlines fit, willing, and able, to provide the services proposed or under investigation?

Notice is further given that any person other than the parties and interveners of record desiring to be heard in this proceeding may file with the Board on or before September 28, 1953, a statement setting forth the issues of fact and law raised by this proceeding which he desires to controvert and such person may appear and participate in the hearing in accordance with § 302.14 of the Procedural Regulations under Title I of the Civil Aeronautics Act, as amended.

Dated at Washington, D. C., September 10, 1953.

By the Civil Aeronautics Board.

[SEAL]

FRANCIS W BROWN, Chief Examiner

[F. R. Doc. 53-7968; Filed, Sept. 14, 1953; 8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1175, G-1850, G-2062, G-1448—G-1787, G-1911, G-1931, G-1936, G-1943, G-1893, G-2059, G-1905, G-1952]

- ATLANTIC SEABOARD CORP. ET AL.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

In the matters of Atlantic Seaboard Corporation, Docket Nos. G-1175, G-1850, G-2062; Virginia Gas Transmission Corporation, Docket No. G-2062; Shenandoah Gas Company, Docket No. G-1448; The Ohio Fuel Gas Company, Docket Nos. G-1787, G-1911, G-1931, G-1936, and G-1943; The Manufacturers Light and Heat Company, Natural Gas Company of West Virginia, Cumberland and Allegheny Gas Company, and Home Gas Company, Docket Nos. G-1893 and G-2059; Central Kentucky Natural Gas Company, Docket No. G-1905; United Fuel Gas Company, Docket No. G-1952.

On May 1, 1953, the Commission issued an order modifying and affirming as modified the initial decision of the Presiding Examiner filed in certain of the above-entitled proceedings on March 5, 1953. In Paragraph (B) (ii) of said order, provision was made for severance of the proceeding in Docket No. G-1448, upon the amended application of Shenandoah Gas Company, and said proceed-

ing was reopened for further hearing at a time and place to be fixed by further order of the Commission.

On June 26, 1953, the Commission issued an order, in part denying, and in part granting, applications for rehearing and stay, and consolidating certain proceedings herein for purpose of hearing. Paragraph (B) of said order reopened the record in the proceedings in Docket Nos. G-1850, G-1787, G-1911, G-1931, G-1936, G-1943, G-1893, G-1905, and G-1952, and ordered a further public hearing thereon to be held at a time and place to be fixed by further order of the Commission. Paragraph (C) of said order consolidated the proceedings m Docket Nos. G-2059 and G-2062 with the proceedings enumerated in said Paragraph (B) for purpose of hearing.

Paragraph (D) of said order issued on June 26, 1953, provides as follows: "(D) Pursuant to the provisions of sections 4, 5, and 7 of the Natural Gas Act, among the issues appropriate for consideration at such rehearing, and upon which pertinent evidence shall be received, are the following issues:

(1) Whether the gas supplies available to the operating subsidiaries of The Columbia Gas System, Inc., during the winter season of 1953-1954, and thereafter, will be adequate to satisfy all the requirements of customers dependent in whole or in part upon the pooled gas supply of such companies for their supply of natural gas, and

(2) The just and reasonable limitations upon transportation and deliveries of natural gas by means of the authorized facilities of each of the Columbia Companies, as well as the just and reasonable service rules and regulations, which should be made applicable to such transportation and deliveries in the event the evidence discloses that the gas supplies of said operating subsidiaries will be inadequate to satisfy such requirements."

The proceeding in Docket No. G-1448, upon the amended application of Shenandoah Gas Company involves a request for an order of the Commission directing physical connection of the facilities of Virginia Gas Transmission Corporation with the proposed facilities of Shenandoah Gas Company and the sale and delivery of natural gas to said company. Said proceeding involves questions of law and fact respecting the gas supplies available to the operating subsidiaries of The Columbia Gas System, Inc., which are common to questions present in the other proceedings herein.

The Commission finds: It is appropriate for carrying out the provisions of the Natural Gas Act, and good cause exists for consolidating the proceeding in Docket No. G-1448 with the aboventitled consolidated proceedings for purpose of hearing.

The Commission orders: (A) The proceeding in Docket No. G-1448 be and the same is hereby consolidated with the other proceedings enumerated in the caption of this order for purpose of hearing.

(B) Pursuant to the authority contained in, and subject to the jurisdiction conferred upon the Federal Power

Commission by sections 4, 5, and 7 of the Natural Gas Act, and the Commission's Rules of Practice and Procedure, a public hearing be held commencing on September 21, 1953, at 10:00 a.m. in the Hearing Room of the Federal Power Commission, 441 G Street, NW., Washington, D. C., concerning the matters involved and the issues presented by the applications, answers, and any other pleadings filed in these proceedings, including the issues heretofore specified in the Commission's order issued on June 26, 1953, as appropriate for consideration in such hearing.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: September 2, 1953.

Issued: September 9, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,

Secretary.

[F. R. Doc. 53-7964; Filed, Sept. 14, 1953; 8:47 a. m.]

FEDERAL TRADE COMMISSION

[File No. 21-455]

ENGRAVED STATIONERY INDUSTRY FOR METROPOLITAN GREATER NEW YORK AREA

NOTICE OF HOLDING OF TRADE PRACTICE CONFERENCE

Notice is hereby given that a trade practice conference for the Engraved Stationery Industry for the Metropolitan Greater New York area will be held by the Federal Trade Commission on September 29, 1953, in Room 611 at 119 West 57th Street, New York City, commencing at 10 a.m., e.s. t.

Industry products include all types of paper and paper products upon which has been reproduced by means of a power press, hand-stamped press, or plate-printing press, an exact mirror image of the letters, words, or designs on engraved steel dies, engraved steel plates, engraved copper plates, or letters, words, or designs inclsed, immediately below the surface, on any other metal. All persons, firms, corporations and organizations engaged in the 'production or marketing of such paper products are cordially invited to attend and participate in the scheduled trade practice conference.

The proceedings are being held to consider proposals for rules designed to eliminate and prevent unfair methods of competition, unfair or deceptive acts or practices, and other trade abuses which violate laws administered by the Commission, as well as for rules directed to the effective maintenance of ethical competitive standards for protection of both the industry and the public.

Issued: September 10, 1953.

By direction of the Commission.

[SEAL] ALEX. AKERMAN, Jr., Secretary.

[F. R. Doc. 53-7976; Filed, Sept. 14, 1953; 8:50 a. m.]

UNITED STATES TARIFF COMMISSION

[Investigation 26]

WATCH MOVEMENTS AND PARTS

INVESTIGATION ORDERED AND HEARING SET

The United States Tariff Commission, on this 9th day of September 1953, under the authority of section 7 of the Trade Agreements Extension Act of 1951, as amended, and section 332 of the Tariff Act of 1930, instituted an investigation, for the purpose of determining whether, as a result in whole or in part of the customs treatment reflecting concessions granted in the trade agreement with Switzerland, as amended, the following articles are being imported into the United States in such increased quantities, either actual or relative, as to cause or threaten serious injury to the domestic industry producing like or directly competitive articles:

Watch movements, and time-keeping, time-measuring, or time-indicating mechanisms, devices, and instruments, provided for

in paragraph 367 (a) of the Tariff Act of 1930, and parts of any of the foregoing provided for in paragraph 367 (c) of the Tariff Act of 1930.

On September 1, 1953, the Commission received an application filed in behalf of the Elgin National Watch Company, Elgin, Illinois, the Hamilton Watch Company, Lancaster, Pennsylvania, and the Waltham Watch Company, Waltham, Massachusetts, for an escapeclause investigation under section 7 of the Trade Agreements Extension Act of 1951, with respect to watch movements having 7 but not more than 17 jewels, and parts thereof, provided for in paragraph 367 of the Tariff Act of 1930. The Commission, however, after due consideration of the matter, extended the scope of the investigation to cover the imported articles specified above.

Inspection of application. The application for investigation filed in this case, except for confidential material, is available for public inspection at the office of the Secretary of the Commission in Washington, D. C., and in the New York office of the Commission located in

Room 437 of the Customhouse, where it may be read and copied by persons interested.

Public hearing. A public hearing in the foregoing investigation was ordered by the Commission to begin January 12, 1954, at 10 a. m. in the Tariff Commission Building, Eighth and E Streets NW., Washington, D. C., at which hearing all parties interested will be given opportunity to be present, to produce evidence, and to be heard.

Request to appear Interested parties desiring to appear at the public hearing should notify the Secretary of the Commission in writing in advance of the hearing.

I certify that the above investigation and hearing were ordered by the United States Tariff Commission on the 9th day of September, 1953.

Issued: September 9, 1953.

DONN N. BENT, Secretary.

[F. R. Doc. 53-7975; Filed, Sept. 14, 1953; 8:50 a. m.]